United Nations S/2015/293

Security Council

Distr.: General
28 April 2015

Original: English

Identical letters dated 28 April 2015 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing to alert you to dramatic events unfolding in our region. On Sunday night, four terrorists originating from Syria infiltrated Israeli territory and attempted to plant an improvised explosive device (IED) in the Israeli Golan Heights. Fortunately, the Israel Defense Force disrupted the operation and avoided an escalation that could have further destabilized an already volatile region.

Israel holds the Syrian Government responsible for all attacks originating from its territory. In recent months, the Syrian Government has allowed terrorists to use its territory as a launching base to plant roadside bombs, fire rockets into Israel and open fire on Israel Defense Forces inside Israel.

I have repeatedly warned about the growing threat in northern Israel. In my remarks last week to the Security Council, I described how Hezbollah, backed by Iran, is openly operating in the Golan Heights and preparing for a violent confrontation with Israel.

The international community can no longer ignore the warning signs. The threat to our region is very real. Israel will not accept any attacks on its territory and it will exercise its right to self-defence and take all necessary measures to protect its population. I urge the Security Council to immediately and unequivocally condemn this attack and demand that the Syrian Government abide by its obligations under international law.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Ron **Prosor**
Ambassador
Permanent Representative

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United Nations S/2015/294

Security Council

Distr.: General
1 May 2015
English
Original: Arabic

Identical letters dated 28 April 2015 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

I write further to our previous letters regarding the Turkish Government's direct and illegal support for armed terrorist groups and their criminal activities against the security and stability of Syria. I wish to draw your attention to some intelligence of the utmost gravity indicating that the Turkish Government clearly and overtly helped terrorist units to enter Idlib city in early April 2015, and the city of Jisr al-Shughur and town of Ishtabraq two days ago.

Armed terrorist groups including the Nusrah Front, which is armed and trained by the Turkish Government, committed a massacre two days ago in the town of Ishtabraq, in the countryside of Jisr al-Shughur. The terrorists killed some two hundred civilians, most of them women and children. The bodies were dumped in the fields, in the open. These events are a testament to the savagery not only of the terrorist Nusrah Front, but also of the Turkish, Saudi Arabian and Qatari officials who support them. The Syrian Government will provide the Security Council with information concerning the innocent civilian victims.

With backing from the Saudi and Qatari regimes, Turkish intelligence officers in an advanced position on the Turkish-Syrian border directed operations and provided logistical and military support to enable the entry into Syria of some 5,000 foreign terrorist fighters, most of them belonging to the terrorist Nusrah Front, which has been included on the Security Council list of terrorist entities. After bombarding the city with thousands of missiles over several days, Nusrah Front terrorist units entered Jisr al-Shughur, storming its peaceful neighbourhoods, killing entire families and forcibly displacing thousands of civilians from their homes and land. The Turkish Government has continued to provide weapons, funding and training to thousands of terrorists, who destroyed Aleppo city and displaced its citizens, and occupied the city of Idlib and before it the city of Kassab. In the process, the terrorists killed hundreds of Syrians and mutilated their bodies. A significant number of the victims were decapitated. There can be no doubt that those actions amount to war crimes. The parties and States that committed, funded and incited them must therefore be held accountable.

The Turkish Army provided logistical support and intense covering fire for the recent terrorist attacks on Jisr al-Shughur and Ishtabraq, and before that on Idlib, Kassab and Aleppo. The attacks were therefore a direct Turkish attack on Syria.

They have shown, clearly and repeatedly, that the political, military and security institutions of the Turkish Government are overtly supporting terrorism and violating the sovereignty of a Member State of the United Nations, in a flagrant contravention of the Charter of the United Nations and the counter-terrorism resolutions of the Security Council.

The Syrian Arab Republic calls on the Security Council, in accordance with its mandate, to bring an end to Turkey's assault on the Syrian Arab Republic and hold the perpetrators and their supporters accountable for endangering peace and security in the region and the world. Syria also calls for immediate action to curb Turkey's attack on Syria and violation of the Security Council counter-terrorism resolutions, particularly resolution 2170 (2014), 2178 (2014) and 2199 (2015).

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2015/295

Security Council

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28 April 2015

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Letter dated 28 April 2015 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit herewith the nineteenth monthly report of the Director-General of the Organization for the Prohibition of Chemical Weapons (OPCW), submitted pursuant to paragraph 12 of Security Council resolution 2118 (2013) (see annex). The present letter covers the period from 23 March to 22 April 2015.

With respect to the destruction of the remaining 12 chemical weapons production facilities in the Syrian Arab Republic, all four underground structures that are accessible have now been verified by OPCW as destroyed. In addition, four of seven hangars have now been prepared for destruction with explosives. Resources have been mobilized to begin drilling at the fifth hangar. One underground structure and two hangars remain inaccessible for security reasons.

Dialogue between OPCW technical experts and the Syrian authorities continues with regard to the initial declaration by the Syrian Arab Republic and subsequent amendments. The Declaration Assessment Team of OPCW is planning its ninth visit to the Syrian Arab Republic to continue its clarification of outstanding issues. In view of the importance of this matter, I welcome the continued consultations between OPCW and the Syrian authorities and reiterate my previous calls for ongoing cooperation in that regard.

The work of the fact-finding mission that is looking into allegations of the use of toxic chemicals as weapons in the Syrian Arab Republic is ongoing and OPCW experts are closely analysing all available information. I profoundly regret that such allegations continue to be raised and there can be no ambiguity regarding the seriousness with which they must be considered. I call again for the perpetrators of such acts to be brought to justice and I reiterate that any use of chemical weapons, by any party and under any circumstances, is utterly abhorrent.

I should be grateful if you would bring the present letter and its annex urgently to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

I have the honour to transmit to you my report entitled "Progress in the elimination of the Syrian chemical weapons programme", prepared in accordance with the relevant provisions of Executive Council decision EC-M-33/DEC.1 of the Organization for the Prohibition of Chemical Weapons, and Security Council resolution 2118 (2013), both dated 27 September 2013, for transmission to the Security Council. My report covers the period from 23 March to 22 April 2015 and also covers the reporting requirements contained in Executive Council decision EC-M-34/DEC.1, dated 15 November 2013.

(*Signed*) Ahmet **Üzümcü**

Enclosure

Note by the Director-General of the Organization for the Prohibition of Chemical Weapons

Progress in the elimination of the Syrian Chemical Weapons programme

1. In accordance with subparagraph 2(f) of the decision by the Executive Council (hereinafter "the Council") at its Thirty-Third Meeting (EC-M-33/DEC.1, dated 27 September 2013), the Technical Secretariat (hereinafter "the Secretariat") is to report to the Council on a monthly basis regarding the implementation of that decision. In accordance with paragraph 12 of United Nations Security Council resolution 2118 (2013), the report by the Secretariat is also to be submitted to the Security Council through the Secretary-General.

2. The Council, at its Thirty-Fourth Meeting, adopted a decision entitled "Detailed Requirements for the Destruction of Syrian Chemical Weapons and Syrian Chemical Weapons Production Facilities" (EC-M-34/DEC.1, dated 15 November 2013). In paragraph 22 of that decision, the Council decided that the Secretariat should report on its implementation "in conjunction with its reporting required by subparagraph 2(f) of Council decision EC-M-33/DEC.1".

3. The Council, at its Forty-Eighth Meeting, also adopted a decision entitled "Reports of the OPCW Fact-Finding Mission in Syria" (EC-M-48/DEC.1, dated 4 February 2015).

4. This, the nineteenth monthly report, is therefore submitted in accordance with the aforementioned Council decisions, and includes information relevant to the period from 23 March to 22 April 2015.

Progress achieved by the Syrian Arab Republic in meeting the requirements of EC-M-33/DEC.1 and EC-M-34/DEC.1

5. Progress within the reporting period by the Syrian Arab Republic is as follows:

(a) With respect to the destruction and verification of the 12 chemical weapons production facilities (CWPFs) (seven aircraft hangars and five underground structures) in the Syrian Arab Republic as per Council decision EC-M-43/DEC.1 (dated 24 July 2014), the timeline for destruction of one underground structure and two aircraft hangars may become protracted should they remain inaccessible due to the security situation near these sites. Nevertheless, all four of the underground structures that are accessible have been verified by the OPCW as destroyed, and the drilling to accommodate the explosive charges has been completed at four of the five accessible aircraft hangars. The contractor's resources have been mobilised to begin drilling at the fifth accessible hangar. The destruction of these hangars can commence once the supplier has delivered the required explosives.

(b) On 17 April 2015, the Syrian Arab Republic submitted to the Council its seventeenth monthly report (EC-M-49/P/NAT.1, dated 17 April 2015) regarding activities on its territory related to the destruction of its chemical weapons and CWPFs, as required by paragraph 19 of EC-M-34/DEC.1.

(c) The Syrian authorities have continued to extend the necessary cooperation in accordance with the implementation of subparagraph 1(e) of EC-M-33/DEC.1 and paragraph 7 of United Nations Security Council resolution 2118 (2013).

Progress in the elimination of Syrian chemical weapons by States Parties hosting destruction activities

6. As reported previously, all declared chemicals have been removed from the territory of the Syrian Arab Republic, and all declared stocks of the Category 1 chemicals have been destroyed. A total of 93.1% of the Category 2 chemicals has now been destroyed, representing a combined total of 98.6%, including the isopropanol previously destroyed in the Syrian Arab Republic. The status of the destruction of the remaining Category 2 chemical (hydrogen fluoride (HF)) and effluents is as follows:

(a) A total of 43.8% of the HF has been destroyed at Veolia ES Technical Solutions, LLC in the United States of America and at Mexichem UK Limited in the United Kingdom of Great Britain and Northern Ireland. As the destruction at Veolia ES is currently on hold pending the resolution of technical issues, an accurate forecast about its completion date cannot be provided at this time.

(b) A total of 76% of the DF effluent and 93.8% of the HD effluent produced by the neutralisation process on board the United States Vessel MV Cape Ray has been destroyed by Ekokem in Finland and at the GEKA facility in Germany, respectively. Destruction activities are progressing in Finland and Germany, and are expected to be completed by the end of June 2015.

7. The Secretariat will continue to brief States Parties in The Hague on the aforementioned destruction activities. Timelines for the completion of the destruction of Syrian chemical weapons were provided in the overall report on the elimination of the Syrian chemical weapons programme (paragraph 25 of EC-76/DG.16, dated 4 July 2014), which was noted by the Council at its Seventy-Sixth Session.

Activities carried out by the Secretariat with respect to the Syrian Arab Republic

8. In the context of the OPCW Mission in the Syrian Arab Republic, cooperation with the United Nations Office for Project Services (UNOPS) has continued and three OPCW staff members were deployed as part of that Mission as at the cut off date of this report. Ambassador José Artur Denot Medeiros of Brazil, as the Special Adviser to the Director-General on Syria, continued his meetings with senior Syrian officials, UNOPS staff, and the United Nations Designated Official in Syria during his visit from 21 to 23 March 2015.

9. The Director-General has continued to communicate with senior representatives of the States Parties hosting a destruction facility or providing assistance with the destruction of Syrian chemical weapons, and with senior officials of the Government of the Syrian Arab Republic. As requested by the Council at its Seventy-Fifth Session (paragraph 7.12 of EC-75/2, dated 7 March 2014), the Secretariat, on behalf of the Director-General, has continued to brief States Parties in The Hague on its activities.

10. The Secretariat and the Syrian authorities have continued to cooperate on outstanding issues regarding the Syrian initial declaration, as encouraged by the Council at its Seventy-Sixth Session (paragraph 6.17 of EC-76/6, dated 11 July 2014). During its eighth visit to the Syrian Arab Republic, which occurred between

22 March and 3 April 2015, the Declaration Assessment Team (DAT) continued its technical consultations and interviews with key principals from the Syrian chemical weapons programme, including discussions on the analytical results of the samples taken during its visits in December 2014 and January 2015. Samples from three sites that were taken during the latest visit of the DAT are being kept under seal in Damascus and, together with future samples, will be transported to the OPCW Laboratory and then to the designated laboratories for analysis. The DAT will continue its consultations during its next visit, which is currently scheduled to take place from 17 to 29 May 2015.

11. Regarding the implementation of additional special monitoring measures in accordance with Notes EC-M-43/DG.1/Rev.1 (dated 21 July 2014) and EC-M-40/DG.2/Add.1 (dated 20 July 2014), the construction of the base monitoring stations at the four underground structures has been completed, as has the installation of cables at these sites. The training of the operators by Aquila Technologies on the installation, operation, and maintenance of the special monitoring system began on 20 April 2015 at OPCW Headquarters in The Hague and is expected to continue until 1 May 2015. The Secretariat is in receipt of the first set of the special monitoring system equipment to be installed in the Syrian Arab Republic, and is currently concluding the administrative and technical arrangements with the operators with respect to the aforementioned activities for which they are being trained. The arrangements include the conditions, such as the requirement for certain activities to be conducted in the presence of OPCW staff, and the related time frames (for example, the installation schedule, and so on).

Supplementary resources

12. The total contributions of EUR 50.3 million in the Syria Trust Fund for the Destruction of Chemical Weapons and the contributors thereto remained unchanged from the previous report.

Activities carried out with respect to the OPCW Fact-Finding Mission in Syria

13. A follow-up to the information provided by the Syrian Arab Republic in December 2014 alleging a number of incidents involving the use of chlorine remains pending. The Secretariat has responded to the State Party's further queries concerning team composition, the terms of reference, and the working methods of the Fact-Finding Mission (FFM). An FFM team stands ready to travel to Damascus upon receipt of clearance from the Syrian authorities.

14. With regard to the recent allegations of use of toxic chemicals in Idlib province, the Director-General has expressed his serious concerns. The FFM is examining all available information and will be guided in continuing its work by Council decision EC-M-48/DEC.1 and Security Council resolution 2209 (2015).

Conclusion

15. The main focus of the future activities of the OPCW Mission in the Syrian Arab Republic will continue to be on the destruction of the eight remaining CWPFs and on making the special remote monitoring system operational in the four underground structures. The DAT and the FFM will also continue their work in the Syrian Arab Republic.

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Security Council

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29 April 2015

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Report of the Secretary-General on South Sudan

(covering the period from 11 February to 13 April 2015)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2187 (2014), by which the Council extended the mandate of the United Nations Mission in South Sudan (UNMISS) until 30 May 2015 and requested that I report on the implementation of the Mission's mandate by no later than 30 April 2015. This report provides an update to my previous report (S/2015/118) dated 17 February 2015, and covers developments from 11 February to 13 April 2015.

II. Political developments

South Sudan peace process

2. On 23 February, phase three of the peace negotiations mediated by the Intergovernmental Authority on Development (IGAD) resumed in Addis Ababa. This followed the agreement between the President of South Sudan, Salva Kiir Mayardit, and the leader of the Sudan People's Liberation Movement/Army (SPLM/A) in Opposition, Riek Machar Teny, on 1 February, to establish a transitional government of national unity by 9 July 2015 and to resolve all outstanding issues, including power-sharing, no later than 5 March. The deadline of 5 March for the conclusion of a peace agreement was decided by IGAD leaders so as to allow for a pre-transition phase to commence on 9 April, followed by the installation of the transitional government by 9 July, coinciding with the expiration of the mandate of the current Government. Negotiations at delegates level were organized in three thematic committees — leadership; transitional security and permanent ceasefire arrangements; and economy, justice and humanitarian affairs — and were followed by direct negotiations between President Kiir and Riek Machar from 3 to 6 March.

3. Regrettably, little progress was made during this last phase of negotiations. The principals were unable to reconcile stark differences on the structure of the transitional government, power-sharing ratios and the allocation of portfolios in the Council of Ministers, the composition of the National Legislative Assembly, transitional security and ceasefire arrangements, as well as wealth-sharing, resource allocation, reparation issues, constitutionalism and institutional reforms. On 6 March, the IGAD mediation announced the indefinite suspension of the peace

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talks. In a message addressed to the people of South Sudan, the IGAD Chairperson, the Prime Minister of Ethiopia, Hailemariam Dessalegn, expressed regret over the parties' inability to reach a settlement, noted that the peace process needed to be reinvigorated and reformed, and that IGAD mediation efforts could not continue unaltered. He added that he would consult with IGAD Heads of State and Government and other African and international partners on the way forward.

4. Since the breakdown of the talks, the IGAD Chairperson has been consulting with IGAD leaders on a proposal to expand the mediation to include high-level representation from the African Union High-level Ad Hoc Committee, the United Nations, the European Union, the Troika States and China, with the hope that a strengthened mediation would be able to move the peace process forward. Consensus around the proposal, however, has yet to coalesce. The IGAD mediation team, for its part, continued to work on the text of a comprehensive peace agreement to be used as the basis for future negotiations. On 24 March, the African Union Peace and Security Council announced that the African Union High-level Ad Hoc Committee will be composed of the Heads of State and Government of Algeria, Chad, Nigeria, Rwanda and South Africa.

5. Meanwhile, reactions to Security Council resolution 2206 (2015) of 3 March establishing a sanctions regime against spoilers of the peace process were mixed. On 3 March and on several other occasions, members of the Government argued that the imposition of sanctions would be counterproductive to the peace process and harmful to the ordinary citizens of South Sudan, while SPLM/A in Opposition and other opposition political parties welcomed the resolution as timely and expressed their commitment to cooperate with its implementation. The Prime Minister of Ethiopia was reported in the media to have described the resolution as a sign of the frustration of the regional and international community over the parties' continued intransigence in the peace process. He reportedly also cautioned President Kiir and Riek Machar that "the region and the international community will not stand by and watch a humanitarian and political crisis in South Sudan continue". Moreover, in its communiqués issued on 12 and 24 March, respectively, the African Union Peace and Security Council took note of resolution 2206 (2015) and reiterated its readiness to impose sanctions against all parties that threaten the peace, security or stability of South Sudan.

Other political developments

6. Concurrently, in order to initiate the implementation of the Agreement on the Reunification of the Sudan People's Liberation Movement and the related road map, signed at the intra-SPLM party dialogue in Arusha, United Republic of Tanzania, on 21 January and 16 February respectively, President Kiir issued three decrees on 24 February. The decrees announced a unilateral ceasefire until 10 April, a general amnesty for "all those waging war against the State" until the end of March, and the rescission of the dismissal of SPLM party cadres, including the formerly detained SPLM leaders — officially ending their exile and unfreezing their personal bank accounts. The ceasefire did not entirely hold, and the timeframe proposed for the return of opposition leaders and the former detainees to Juba expired on 2 April without result. On 1 April, the former detainees argued that the presidential decrees lacked clarity and were not in line with the Arusha Agreement.

7. The Government also worked to galvanize regional support for its sovereignty and territorial integrity. In a position paper presented to the tenth ordinary meeting of the Inter-ministerial Regional Committee of the International Conference on the Great Lakes Region in Angola, on 11 March, the Minister for Foreign Affairs, Barnaba Marial Benjamin, accused unnamed neighbouring States of destabilizing South Sudan, insisting that SPLM/A in Opposition constitutes a threat to regional security, and urged countries in the region to "recognize and designate the rebel armed group as negative forces". He also urged them to adopt a collective regional approach to restoring peace and security in South Sudan.

8. On the domestic front, on 19 February, the Council of Ministers introduced a constitutional amendment seeking parliamentary consent to postpone the country's presidential and general elections for two years, until 30 June 2017. On 24 March, the National Legislature adopted the amendment entitled "Transitional Constitution, 2011 (Amendment Bill, 2015)", extending the tenure of the Office of the President, the National Legislature and the State Legislative Assemblies by three years, until 9 July 2018. Similarly, the mandate of the National Constitutional Review Commission was extended until 31 December 2017. Subsequently, the State Legislative Assemblies of Upper Nile and Eastern Equatoria, on 30 March and 8 April respectively, voted to amend their state constitutions, extending their own and the incumbent state governors' terms for a further three years. SPLM/A in Opposition, the National Alliance of opposition political parties, and the former detainees, in separate statements issued on 26 March, 30 March and 4 April respectively, rejected the term extensions of the Presidency and national and state legislatures as unconstitutional.

9. On 13 April, President Kiir relieved the Minister of the Interior and Wildlife Services, Aleu Ayeny Aleu, and the caretaker Governor of Northern Bahr el-Ghazal State, Kuel Aguer Kuel, of their duties. The Deputy Governor of Northern Bahr el-Ghazal State has been appointed as the new caretaker Governor, while the ministerial position remains vacant.

10. To ease mounting financial pressures in the country, on 25 March, the National Legislative Assembly endorsed a request by the Government to secure a loan of US$ 500 million from the Qatar National Bank. The current fiscal year has seen national oil production halved. This, together with declining international oil prices and the continued remittance of oil tariffs and transit fees to the Sudan in accordance with the Transitional Financial Arrangement signed in September 2012, has resulted in a significant reduction of revenue for the Government. Concurrently, the generation of non-oil revenues remains at lower levels than foreseen in the current budget, while the rising cost of the ongoing conflict continued to skew Government expenditure towards security, at the expense of funding for other sectors.

III. Security situation

Security developments

11. Fighting between the two parties continued during the reporting period and was for the most part concentrated in the greater Upper Nile region. Government advances largely focused on regaining control of territory in the north and east of Upper Nile State, while the operations of SPLM/A in Opposition focused on

repelling Sudan People's Liberation Army (SPLA) advances south and south-east of Bentiu, attempting to regain control of Ayod in central Jonglei and pressing forward towards the oil fields in northern Unity State.

Upper Nile State

12. The situation in Upper Nile State remained volatile, with SPLA advances into Longochuk County, clashes in Manyo, Renk and Nassir counties, and an outbreak of inter-communal violence between the Dinka and Shilluk communities. SPLA and SPLM/A in Opposition clashed in Halof, near Kaka in Manyo County, on 10 and 16 February. After two days of shelling in Renk town on 6 and 7 March and fighting near Kaka on 5 March, SPLA, supported by Shilluk militias, took control of Wadekona after reportedly crossing south-west from Renk County and north from the direction of Kaka. Following SPLA claims that Opposition forces shelled SPLA positions 25 km north of Wadekona on 10 March, SPLA launched an offensive operation in the area on 15 March. On the same day, SPLA also reportedly advanced from southern Melut into Longochuk County, clashing with Opposition forces and causing civilians to flee from Mathiang. On 2 April, SPLA assumed control of Wunyok, Longochuk County, following reported clashes with the Opposition. In Nassir County, UNMISS observed numerous exchanges of heavy firing between SPLA-held areas in Nassir town and Opposition-held areas south of the Sobat River, with SPLA also stating that its forces shelled areas to the east and north-east of Nassir. On several occasions, SPLA initiated firing to cover re-supply flights arriving at the airstrip. UNMISS also observed SPLA soldiers burning *tukuls* in the vicinity of Nassir town on 27 March and 8 April. In Makal County, on 16 February, an estimated 1,000 individuals, including an unknown number of children, were reportedly forcibly recruited by militia allied with SPLA (see para. 43 below).

13. In the border area between Fashoda and Akoka counties, Shilluk and Dinka community members, supported by militiamen affiliated with the SPLA units in the area, clashed over a long-standing land dispute on 1 and 2 April. As a result of the violence, an estimated 4,500 civilians have sought refuge in the UNMISS protection of civilians site in Malakal. Government authorities deployed to the area have helped to calm tensions and stop the violence. In the absence of an agreement to resolve historical grievances, however, inter-communal violence in the Malakal area remains a distinct possibility.

Unity State

14. In Unity State, clashes continued near the state capital Bentiu. UNMISS also observed considerable movements of SPLA and Justice and Equality Movement (JEM) elements into Bentiu. On 13 February, fighting occurred in several villages between Bentiu and Guit, allegedly leading to the deaths of 10 civilians and the capture of several SPLM/A in Opposition fighters. More clashes were reported on 23 March. On 17 March, small arms, machine guns and shells were fired from north of Rubkona southwards towards Bentiu. One rocket-propelled grenade exploded inside the UNMISS protection site. During the fighting and concurrent unrest in the protection site, nine internally displaced persons were injured, three of whom sustained bullet wounds. SPLA then clashed with Opposition forces near the perimeter of the UNMISS protection site. Tensions increased between SPLA and internally displaced persons at the UNMISS protection site on 10 March, after SPLA shot two displaced persons grazing cattle outside the protection site, killing one of

them, and stole 25 cattle. Late in March, Opposition forces reportedly advanced towards Tor in Pariang County, and the area north of the Unity Oil Fields in Rubkona County. On 10 April, SPLA and Opposition forces clashed at the Tor-Bonky junction in Pariang.

Jonglei State

15. Tensions also flared in Jonglei State with SPLA and Opposition forces clashing in the eastern and northern parts of the State. On 25 March, the parties clashed in Ayod town, which remains under SPLA control. Fighting was also reported in Fangak County near New Fangak. Furthermore, inter-communal tensions have increased between Murle from the Greater Pibor Administrative Area and the Dinka Bor. Dinka Bor youth, allegedly encouraged by state authorities, have reportedly mobilized to defend Bor town from suspected Murle attacks. No further progress has been made in operationalizing the Greater Pibor Administrative Area, owing mainly to financial constraints and skills shortages. Meanwhile, the integration of South Sudan Democratic Movement/South Sudan Defence Army (SSDM/SSDA)-Cobra faction forces into SPLA has been completed in three counties of the Administrative Area, namely Pibor, Gumuruk and Likuangole, and continues in the remaining four. The Uganda People's Defence Forces maintained their military presence in support of the Government of South Sudan around Bor.

Western and Northern Bahr el-Ghazal States

16. In Raga County, Western Bahr el-Ghazal, areas around Katta were reportedly bombed by Sudan Armed Forces aircraft targeting JEM elements between 28 February and 16 March. Opposition forces reportedly also launched two attacks in the area on 4 and 10 March. On 21 March, an aircraft sighted over Aweil North and Aweil East counties, Northern Bahr el-Ghazal State, reportedly bombed Majok Nyich in Aweil East County. Further aerial bombings are alleged to have occurred on 23 March and 6 April in Delieba, Raga County, and on 8 and 9 April in Nyinbouli and Achana in Aweil West County and Mayom Angok in Aweil North County. Opposition forces led by General Dau Aturjong, former SPLA soldiers who deserted in April 2014 and Sudanese armed groups are allegedly operating in the surrounding border areas.

Inter-communal conflict

17. Inter-communal tensions rooted in competition over grazing pasture for cattle and access to water, and exacerbated by weak rule of law institutions, a lack of education and other livelihood opportunities, and prevailing population displacements, continued to be witnessed in the central and southern states of South Sudan.

18. In Lakes State, the cycle of cattle-raiding and small-scale revenge attacks continued among Dinka Agar subclans, resulting in more than 105 deaths, despite mitigation efforts, including a peace conference attended by President Kiir on 14 February. In the most serious incident, on 15 and 16 March, fighting between Dinka subclans in Rumbek Centre, Rumbek East and Rumbek North counties led to the deaths of at least 70 people. Cattle-raiding incidents in northern Lakes State perpetrated by Dinka youth from neighbouring Warrap State and armed Nuer from

Unity State also resulted in approximately 100 deaths between 17 February and 5 April.

19. In Eastern Equatoria State, Torit County, at least three people were killed and several others were injured during clashes between two communities over a fishing area, in mid-February and early in March. Tensions also escalated between youth and SPLA forces in Magwi County over allegations of arbitrary arrest and disappearances of youth and other community members. In Central Equatoria State, Dinka Bor cattle keepers, as well as SPLA soldiers escorting them, have been linked with at least two clashes with the local population in Juba and Kajo Keji counties over the destruction of crops and competition over grazing land. On 11 March, in Western Equatoria State, Mundri West County, armed Dinka in military uniforms reportedly also raided migrant Mundari cattle keepers originally from Central Equatoria State. Seven people died and 500 cattle were stolen during the incident.

IV. Humanitarian situation

20. As at 13 April, over 2 million people were displaced from their homes, over 1.5 million people inside South Sudan and more than 500,000 to neighbouring countries. Nearly 118,000 people were sheltered inside UNMISS protection sites. The humanitarian aid operation continued to be scaled up to reach more remote locations. By early April, aid agencies provided some form of assistance in 135 locations, 77 of which are located in remote areas.

21. The South Sudan Integrated Food Security Phase Classification, a set of standardized tools that aims at classifying the severity and magnitude of food insecurity, estimates that 2.5 million people are currently facing severe food insecurity, with people in the greater Upper Nile State most affected. The overall nutrition situation, particularly of children under 5, in most parts of the country remains above emergency levels including in Upper Nile, Unity, Northern Bahr el-Ghazal, Jonglei and Warrap States. Malnutrition rates are expected to remain above emergency thresholds in most parts of the country, owing to inadequate food consumption and high levels of disease in the context of constrained service delivery. A total of 21,117 children have been treated so far in 2015 for severe acute malnutrition. Over 40,000 cartons of ready-to-use therapeutic food for the treatment of severe acute malnutrition have already been pre-positioned in anticipation of the rainy season.

22. The leading causes of illness among displaced people remained malaria, acute watery diarrhoea, and acute respiratory infection. Viral leishmaniasis (or kala-azar), remains a concern. Since the beginning of 2015, a total of 1,227 cases and 39 deaths have been reported from 16 treatment centres. On 29 March, a measles outbreak was confirmed in the Bentiu protection site. As at 5 April, 130 cases had been reported with two laboratory cases confirmed. A vaccination campaign is ongoing. To ensure continued protection of children against polio throughout the country, the Ministry of Health, the World Health Organization (WHO), the United Nations Children's Fund (UNICEF) and implementing partners conducted the first two rounds of the 2015 Polio National Immunization Days from 24 to 27 February and from 24 to 27 March, which targeted a combined total of 3.4 million children under 5.

23. More than 4.1 million people are in critical need of water sanitation and hygiene services. The majority of people in need are located in remote rural

locations with little or no services. Almost 40 per cent of water points are not functioning and the required repair and maintenance capacity is limited. In some protection of civilians sites, including Bentiu and Malakal, the continuous influx of internally displaced people is increasing pressure on facilities and lowers the standard of services provided. The numbers of internally displaced people are set to rise in the coming months as fighting continues.

24. The current conflict has exacerbated already limited access to education. Since December 2013, approximately 400,000 school-aged children have dropped out of school and 70 per cent of the schools in the key conflict-affected states have closed. To date, 86 schools continue to be occupied, including 29 by combatants and 53 by internally displaced persons. A Back-to-Learning Initiative is targeting out-of-school children and adolescents, including the approximately 3,000 children associated with the SSDM/SSDA-Cobra faction, as part of their reintegration into communities.

25. From February to early in April 2015 approximately 4,200 refugees, 80 per cent of whom are women and children, arrived in Yida from Southern Kordofan, Sudan. The Government of South Sudan and UNHCR are working to address the latest influx. At the end of March, there were nearly 260,000 refugees in South Sudan, the vast majority from the Sudan, living in six camps across the northern states of Unity and Upper Nile.

26. The Humanitarian Response Plan for 2015 requires $1.8 billion to reach 4.1 million people with assistance. On 9 February, donors pledged $529 million at a high-level event in Nairobi organized jointly by IGAD and the Office for the Coordination of Humanitarian Affairs. This brought the total of pledges and commitments for South Sudan and South Sudanese refugees since the beginning of the year to $618 million. By 13 April the Humanitarian Response Plan remained 12 per cent funded.

27. Active hostilities and insecurity continued to disrupt humanitarian response activities and restrict road, riverine and air access. On 22 occasions, since the beginning of the year, humanitarian organizations have suspended activities because of active hostilities, including reducing staff levels or pausing programmes in affected areas. Road and river checkpoints and demands for illegal taxes or extortion, imposing additional costs for humanitarian convoys, and affecting the movement of humanitarian goods and personnel, as well as the ability of civilians to access assistance, continued. Violence against aid workers, facilities and assets, including assaults, threats, harassment, detention and abduction of personnel, were also regularly recorded. Humanitarian actors have continued to raise these security and access concerns with both parties. Since the beginning of the year, there have been 70 reported incidents of violence against humanitarian personnel or assets, 18 cases of detention, and two cases of abduction.

V. Implementation of the reprioritized mandated tasks of the Mission

A. Protection of civilians

28. UNMISS continues to pursue a three-tiered strategy to ensure the protection of civilians. In this regard, the Mission continued to assess risks to the civilian

population, particularly displaced persons, resulting from prevailing threats and related vulnerabilities of local communities, in all accessible areas of the country.

29. Under the first tier, protection through dialogue and engagement, UNMISS continued to work closely with United Nations country team partners and non-governmental organizations to provide assistance in support of local conflict resolution efforts. During the reporting period, UNMISS civil affairs teams held 337 meetings with local authorities, community leaders, youth and women across the 10 States, including in Opposition-held territory, to identify conflict threats and mitigation measures. UNMISS also organized 26 conflict mitigation events, including inter-communal dialogue activities, workshops and roundtable discussions, assisting 3,385 cattle camp youth, community leaders, and internally displaced persons both at UNMISS protection of civilians sites and at other locations, to develop conflict management skills and to engage in resolving inter-communal disputes. In Lakes State, UNMISS conducted workshops for cattle camp youth in Cueibet County and village chiefs from Yirol County, and engaged peace actors, with a view to developing a platform for durable peace. Likewise, in Western Equatoria State, UNMISS continued to promote inter-communal dialogue to peacefully resolve issues arising from the presence of internally displaced persons in the area. In Magwi County, Eastern Equatoria State, following allegations of intimidation and detention of youth by the security forces, UNMISS engaged state and community leaders, as well as security officials, with a view to de-escalating tensions. In Jonglei State, UNMISS delivered a dispute resolution skills workshop for Dinka community leaders in Bor, and continued to engage Nuer and Dinka communities in the greater Bor area to promote peaceful coexistence.

30. Under tier two, provision of physical protection, UNMISS provided protection to nearly 118,000 internally displaced persons at six protection of civilians sites, including 53,000 in Bentiu, 34,000 in Juba and 27,000 in Malakal. While a marginal number of displaced persons have voluntarily left some of the UNMISS sites, insecurity has concurrently led to new arrivals. In Bentiu, for example, biometric verification showed an increase of 22,000 displaced persons. An assessment to determine the scope of new displacement versus the temporary influx of civilians seeking access to humanitarian services at the protection site is pending.

31. Inter-communal tensions, community leadership struggles, youth gang violence and threats against humanitarian service providers and UNMISS staff continue to pose serious challenges in many of the UNMISS protection sites. During the reporting period, a total of 410 security incidents were reported, including incidents of murder, theft, assault, domestic violence and public disorder. Over 22 UNMISS police were injured in the process of maintaining security at the protection of civilians site in Juba, while another six were injured at other sites, during the month of February. On 9 February, clashes between youth groups resulted in the death of one youth at the Bentiu site. On 24 March, similar youth violence led to the explosion of a hand grenade inside the protection site, injuring 10 people. Of particular concern is sexual, gender-based and domestic violence, including the exploitation of young girls and women, by male internally displaced persons. To mitigate these issues, UNMISS is streamlining referral pathways with humanitarian protection partners to provide efficient emergency response services to victims of sexual, gender-based and domestic violence. The Mission also implemented conflict transformation trainings and peace dialogues at the Bentiu, Malakal and Bor protection sites.

32. UNMISS continues to administer four holding facilities for the temporary isolation of internally displaced persons suspected of having committed serious crimes, at the UNMISS protection sites in Juba, Bentiu, Malakal and Bor. As at 13 April, 63 suspects were held in those facilities, 8 in Juba, 36 in Bentiu, 18 in Malakal and one in Bor. UNMISS has yet to agree with the Government on a framework for the transfer of detainees to national authorities. During the reporting period, some of the detainees were released and their cases handled under community-led informal mitigation and dispute resolution mechanisms. In Juba, nine offenders representing a significant threat to UNMISS staff and their communities were expelled from the protection site, after a detailed human rights risk assessment confirming they were not under threat of violence outside the site.

33. UNMISS further enhanced efforts to deter violence against civilians beyond UNMISS premises and project its presence throughout South Sudan. Protection activities included the conduct of 6,048 short-duration, 99 long-duration, and 23 dynamic air patrols. In parts of Upper Nile, Unity and Jonglei States where Opposition forces have been operating, UNMISS military personnel conducted 22 air patrols and 17 days of patrolling on the Nile River. As part of its efforts to ensure proactive engagement with vulnerable communities, having recently established forward operating bases in Malakal, UNMISS is assessing options and seeking the approval of the relevant authorities for the establishment of similar facilities in Bentiu and Bor.

34. The United Nations Mine Action Service conducted surveys on clearance of explosive remnants of war at Bentiu, Rubkona, Mankien and in Mayom County, in Unity State. It also conducted non-technical surveys and explosive ordnance disposal in Malakal town and its vicinity in Upper Nile State. During operations in Jonglei State early in March, cluster bomb sub-munitions were discovered in the village of Totel (10 km south of Bor). In total, during the period from 10 February to 8 April, the Mine Action Service released 2,376,132 m^2 of safe land; destroyed 982 landmines, 12,172 explosive remnants of war and 74,077 items of small arms ammunition; and provided risk education to 46,818 civilians (14,520 boys, 14,390 girls, 9,199 men and 8,709 women).

35. Under tier three, UNMISS and the humanitarian country team supported the establishment of a protective environment and the development of sustainable solutions for the eventual safe and voluntary relocation of displaced persons residing in UNMISS protection of civilians sites. UNMISS and the United Nations Development Programme (UNDP) continued to provide technical support, in line with the human rights due diligence policy, to the confidence- and trust-building policing strategy of the Inspector General of Police. This pilot initiative is aimed at improving the security environment in selected neighbourhoods in Juba to facilitate voluntary returns. It included the commencement of a screening and verification process for national police personnel to carry out protection-related tasks. Additional support has focused on the operationalization of the emergency call centre, and the preparation of sensitization workshops to be delivered to national police personnel in the areas of human rights, community policing concepts, conflict mitigation and protection of civilians.

36. In February and March, the International Organization for Migration (IOM), in partnership with the Government Directorate of Nationality, Passports and Immigration, as well as UNMISS, processed "temporary stay" permits for foreign

nationals residing at one of the UNMISS protection sites in Juba. The permit legalizes the presence of those foreign nationals for six months, and is subject to extension. During the same exercise, the Office of the United Nations High Commissioner for Refugees (UNHCR) conducted pre-investigations of those with potential asylum claims. A refugee status determination may follow.

37. UNMISS and UN-Women continued their engagement with State and non-State actors for consistent implementation of the women and peace and security agenda outlined in Security Council resolution 1325 (2000) and its reaffirming resolutions. Training was organized at four UNMISS protection of civilians sites for community watch groups and community leaders to respond to incidents of early or forced marriage, sexual and gender-based violence, discrimination and sexual assault. Efforts further focused on establishing networks of male advocates in all 10 States of South Sudan. UNDP provided support for the national police special protection units to improve response to survivors of sexual and gender-based violence, prosecution for which continues to be low. The National Action Plan for the implementation of resolution 1325 (2000) has yet to be formally launched.

38. Discussions on transitional solutions also progressed, headway being made in assessing the option of assisted voluntary relocations of internally displaced persons from protection of civilians sites in Wau and Bor. An inter-agency analysis, which entailed consultations with internally displaced persons, reviewed and discounted a number of possible locations, on the basis of on criteria such as security and the availability of basic services. Three locations — Leer in Unity State, Akobo in Jonglei State and Pagak in Upper Nile State — all currently controlled by SPLM/A in Opposition were found feasible. Local authorities and communities have also expressed their willingness to receive and support internally displaced persons coming from Wau and Bor. Currently, UNMISS and the humanitarian country team are working on the operational details for these relocation operations, and implementing mitigation measures to address potential protection concerns.

B. Human rights monitoring and reporting

39. UNMISS continued to investigate reports of violations of international human rights and humanitarian law, as well as human rights abuses, in connection with the ongoing conflict. Interviews with displaced persons arriving at the Malakal protection of civilians site from the Pigi and Fangak areas of Jonglei State indicate that the hostilities that occurred in those areas in November and December 2014 may have resulted in serious human rights violations by Government forces, including the killing of civilians and destruction of property. Subsequent integrated missions to the area, including Nyirol County in Jonglei State, confirmed significant displacement and revealed that the impact of the hostilities on civilians may have been more severe than originally reported, including with respect to the number of civilians displaced.

40. In Unity State, UNMISS also investigated incidents of alleged shelling by Government forces, reportedly accompanied by shootings and killings of civilians, looting of livestock and conflict-related sexual violence, in at least 10 villages south of Bentiu between 31 December 2014 and 10 January 2015. Repeated efforts by human rights officers to verify reports that five individuals associated with opposition forces were being detained at the SPLA division headquarters in

Rubkona following fighting on 13 February in Ngoany village, south of Bentiu, were unsuccessful. On 23 February, UNMISS was informed by SPLA that two of the detainees had been released, but SPLM/A in Opposition interlocutors reported that the detainees had not returned to them. The continued denial of access by UNMISS, combined with past reports of ill-treatment by SPLA, raises significant concerns about the whereabouts and welfare of those detainees.

41. Despite assurances from both the Government and the opposition that they would refrain from the recruitment and use of children in armed conflict, numerous reports were received of child recruitment, as well as of forced recruitment by both sides. During the reporting period, 19 incidents of recruitment and use, abduction, killing, and sexual violence perpetrated against children and military use of schools were reported, affecting 1,837 children (1,060 boys and 777 girls). In total, 11 of those incidents, affecting 1,698 children (921 boys and 777 girls), were verified. Following advocacy and extensive nationwide verification missions by the joint United Nations-Government National Technical Committee on the implementation of the United Nations-SPLA recommitment agreement, 13 schools previously reported under military use were vacated in February and March 2015. Despite these positive developments, however, 11 new incidents of military use of schools have been recorded in 2015, and 29 schools reportedly remain under military use by parties to the conflict in six States — Central Equatoria, Eastern Equatoria, Jonglei, Upper Nile, Lakes and Unity — affecting more than 10,000 children.

42. The release of children by the SSDM/SSDA-Cobra faction troops within the Greater Pibor Administrative Area continued. To date, 1,314 of an expected 3,000 children associated with the faction have been released since late January. In February 2015, the United Nations also received reliable information from a child protection partner of the release of 18 boys from SPLM/A in Opposition through an informal process in Leer, Unity State.

43. In Makal County, Upper Nile State, on 16 February, an estimated 1,000 individuals, including a number of children, were abducted from a school and an internally displaced persons site in Wau Shilluk, allegedly by elements from Johnson Olonyi's armed Shilluk militia, allied to SPLA, and forcibly recruited. UNMISS visited the area together with UNHCR on 20 February to gather further information and speak to witnesses. Late in February, President Kiir gave assurances to my Special Representative that the recruitment of children was against SPLA practice and that he would take action. On 10 March, the joint United Nations-Government National Technical Committee was informed by local authorities in Wau Shilluk that hundreds of civilians, among them 36 children, had been seized on 16 February by SPLA in an exercise aimed at identifying deserters, but that the children had later been released. Those claims could not be verified as the Committee was unable to meet the children, and subsequent UNMISS human rights monitoring missions to the area have been postponed owing to security constraints.

44. Following the signing on 11 October 2014 by the Government of South Sudan and the United Nations of a joint communiqué to address conflict-related sexual violence, the Government appointed the Minister in the Office of the President as High-level Focal Point. It subsequently established a Joint Technical Working Group, comprising relevant ministries and national institutions, the United Nations and civil society organizations, to develop a comprehensive implementation plan for the joint communiqué. The Joint Technical Working Group held its first meetings on

10 and 17 March 2015, and five task forces have been established on various thematic issues to speed up the implementation of the joint communiqué.

45. Threats and harassment of the media and interference with the activities of civic organizations continued during the reporting period, raising serious concerns about the deteriorating state of freedom of the press and association in South Sudan. On 16 February, the Minister of Information and Government spokesperson, Michael Makuei, threatened to close down the United Nations radio station, Miraya, in the context of broader threats and intimidation against media outlets which have reported opposition views. The threat against Radio Miraya was withdrawn after a meeting of my Special Representative with the Minister of Information. Meanwhile, the *Nation Mirror* remained closed after being shut down by the National Security Service on 16 February.

46. The heavy deployment of Government security forces in areas less affected by conflict, reportedly in response to insecurity and inter-communal violence, gave rise to human rights concerns. In Eastern Equatoria State, following the deployment of SPLA to the areas of Pageri Payam and Nimule in November, in response to the reported presence of armed opposition forces and tensions between the Madi and Dinka communities, UNMISS received allegations of the harassment, intimidation, arrest and detention of local community members. In Magwi County, preliminary information gathered by UNMISS indicated that clashes between SPLA and members of the community on 22 and 23 February had resulted in the death of an SPLA member, serious injury to 21 civilians and 14 SPLA members, the burning of around 150 houses and the flight of reportedly some 2,000 civilians from the area.

47. Continued challenges to the administration of justice in accordance with international human rights standards were also noted. In Jonglei and Western Equatoria States, UNMISS was informed of the intended closure or effective non-functioning of courts due to financial constraints. This included the high court in Jonglei State, which was reportedly without judicial personnel as from 6 March, and the county court in Mundri West in Western Equatoria State as from 13 March. The absence of judicial personnel in those areas risks exacerbating an already severe problem of prolonged and arbitrary detention, an example of which includes the case of three juveniles detained in Jonglei State since mid-2014.

C. Creating the conditions for delivery of humanitarian assistance

48. During the reporting period, UNMISS worked with humanitarian partners to improve the conditions of transport infrastructure, including critical roadways and airstrips, in support of vital humanitarian operations in the dry season. Two main supply routes, one from Juba to Bor and another from Wau to Bentiu, have been rehabilitated to allow delivery of cargo and humanitarian assistance. UNMISS is also working with the United Nations Office for Project Services and the World Food Programme to extend the Bentiu airstrip and make it suitable for transport aircraft to land during the rainy season.

49. UNMISS also continued investing substantial resources to enhance living and security conditions at existing protection of civilians sites, complementing the extensive investment by humanitarian partners and the donor community. IOM and UNMISS have been working to construct the extension of the UNMISS protection of civilians sites in Bentiu and Malakal, as well as to upgrade the drainage system at

the Bentiu site. This work, which has made significant progress, will improve the living conditions for displaced persons in advance of the upcoming rainy season. UNMISS also continues to enable humanitarian partners to operate within the protection of civilians sites. In Bentiu and Malakal, UNMISS provides physical protection, office, warehousing and accommodation space because of the high security risks in those areas. A total of 5,608 force protection tasks were undertaken to protect road convoys, barges and humanitarian activities during the reporting period.

50. The Mine Action Service continued to play a key role in creating conditions for the delivery of humanitarian assistance through route assessments, surveys and/or mine clearance of 1,096 km of routes in Unity, Upper Nile, Jonglei, Warrap, Central and Eastern Equatoria and Western Bahr el-Ghazal States. The Service's operations along major supply routes ensured safer and more efficient humanitarian aid delivery.

D. Supporting the implementation of the cessation of hostilities agreement

51. UNMISS continued to provide the IGAD Monitoring and Verification Mechanism with protection, logistical and administrative support upon request, including direct support to the IGAD Joint Technical Committee's investigation mission to Renk, Upper Nile State. IGAD is continuing to refine its operations model in the light of its reduced funding and financial constraints. Some of the current logistics and life support for the IGAD Monitoring and Verification Teams, provided under bilateral arrangements, is expected to be withdrawn as from 24 May 2015. At the request of IGAD, UNMISS is facilitating the provision of support services (water, food, fuel, electrical power and medical cover) for IGAD Monitoring and Verification Teams co-located at UNMISS bases.

52. From its deployment on 1 April 2014 until 10 April 2015, the Monitoring and Verification Mechanism has investigated a total of 38 incidents that have resulted in violations of the Agreement on Cessation of Hostilities of 23 January 2014. Nineteen violations are attributed to SPLA and 23 to SPLM/A in Opposition, 5 of the 38 incidents having resulted in violations by both parties. One incident remains to be verified.

VI. Mission staffing and status of deployment of surge capacity

53. As at 13 April, the actual strength of UNMISS civilian personnel stood at 2,332, including 774 international staff members, 1,186 national staff members and 372 United Nations Volunteers. UNMISS police strength stood at 1,099 of the authorized 1,323 officers, including 534 individual police officers, 57 corrections officers and 508 officers in formed police units. The Mission expects to reach its full capacity of formed police unit personnel in June with the arrival of the three formed police units from Ghana, Nepal and Rwanda.

54. As at 13 April, UNMISS military troop strength stood at 11,238. A total of 4,077 of the 5,500 surge troops have been deployed. The deployment of the 700-strong Chinese battalion was completed on 8 April. The deployment of the

riverine unit from Bangladesh will be completed with the arrival of contingent-owned equipment and personnel in Juba by 9 May and Malakal in June 2015. The deployment of the additional 400 Ghanaian troops and the remaining 280 of the 310 additional members of the Kenyan battalion will be completed in July. The deployment of three utility helicopters from Sri Lanka and five tactical armed helicopters from Rwanda and Ethiopia will also be completed by July, subject to no further delays in the deployment of contingent-owned equipment and the full cooperation of the Government of South Sudan. These delays continue to constrain projected operations and hamper the generation of full Mission capability of units already deployed to the Mission area.

55. In accordance with the United Nations zero-tolerance policy on sexual exploitation and abuse, UNMISS delivered mandatory training within the Mission area to all categories of personnel, in addition to conducting risk assessment activities aimed at preventing sexual exploitation and abuse. In addition, UNMISS conducted a robust outreach and sensitization campaign for the general population on the United Nations standards of conduct expected of all UNMISS personnel.

VII. Violations of the status-of-forces agreement, international humanitarian law and security of United Nations personnel

56. During the reporting period, UNMISS recorded a total of 50 violations of the status-of-forces agreement. Of the 50 incidents, 28 related to restrictions on movement, affecting land, air and riverine operations. Other violations included threats to UNMISS members and premises, harassment, assault, arrest and detention of UNMISS members, and confiscation of UNMISS property including impoundment of vehicles. Of particular concern is the fact that 40 of the reported violations were perpetrated by Government security forces, including SPLA and the national police. In addition, 12 incidents, largely related to restrictions of UNMISS air and riverine operations, were committed by SPLM/A in Opposition forces.

57. On at least three occasions in February, groups of SPLA soldiers, usually in military pick-up trucks, have randomly fired gunshots into the air in front of the UNMISS base and protection site in Bentiu, Unity State. On 9 March, during clashes between SPLA and armed youth in Nassir, Upper Nile State, small arms fire hit the sentry outposts, as well as some containers in the accommodation portion of the UNMISS camp. On 17 March, during clashes between SPLA and SPLM/A in Opposition in Bentiu, a number of rockets landed inside the UNMISS protection site. Such action poses a direct threat to the safety and security of UNMISS personnel and to the civilians sheltered at the protection site. Furthermore, it constitutes an unwarranted interference with the implementation of the UNMISS protection of civilians mandate.

58. As at 8 April, the three national staff members who were arrested in August and October 2014 remain in custody at the headquarters of the National Security Service in Juba. While UNMISS has been granted regular access to the detainees and monitors their well-being, the Government has yet to notify the Mission of the outcome of its investigations or the charges against them. The UNMISS national independent contractor who was abducted on 10 October while working at the UNMISS air terminal in Malakal, Upper Nile State, as well as a United Nations agency staff member abducted from Malakal airport on 16 October, are still missing.

All efforts by UNMISS to ascertain their fate or whereabouts from the Government have proved unsuccessful. On 1 April, two United Nations agency national staff and one national contractor disappeared in Upper Nile State. The three personnel were driving vehicles in a humanitarian convoy travelling between Melut and Akoka, when their vehicles were reported to have been commandeered by SPLA forces to transport wounded soldiers. The United Nations continues to engage with the relevant authorities on the matter.

59. UNMISS continued to formally notify the Government on a regular basis of these violations through notes verbales and meetings with senior government officials. The monthly matrix of incidents is also shared with the Government. Yet despite these efforts, to date, the Government has not informed the Mission of the outcome of any investigations it has committed itself to undertake on those violations.

VIII. Financial aspects

60. The General Assembly, by its resolution 69/260 of 29 December 2014, appropriated the amount of $1,097,315,100 for the period from 1 July 2014 to 30 June 2015. As at 17 April 2015, unpaid assessed contributions to the Special Account for UNMISS amount to $247.8 million. Total outstanding assessed contributions for all peacekeeping operations at the same date amount to $2,167.1 million. As at 17 April 2015, reimbursement of troop-contributing Governments for troop and contingent-owned equipment costs has been made for the periods to 28 February 2015 and 31 December 2014, respectively, in accordance with the quarterly payment schedule.

IX. Observations and recommendations

61. I am profoundly disappointed by the breakdown of the peace talks on 6 March. Sixteen months of IGAD-led negotiations ended without a peace settlement, owing to the continued intransigence of South Sudan's political leaders and their failure to see beyond their personal ambitions and put the people of South Sudan first. This, together with the continuing violations of the cessation of hostilities agreement by both parties, despite repeated affirmations of their commitment to cease conflict and negotiate a peaceful settlement, is deeply disturbing.

62. I take note of the three-year extension of the tenure of the Office of the President, the National Legislature and the State Legislative Assemblies until 9 July 2018. This extension should not disincentivize the Government from making the compromises necessary to reach a peace agreement.

63. In view of the increasingly unstable situation, I appreciate the sustained efforts and vital role played by the IGAD mediation, as well as other partners, including IGAD Heads of State and Government, the Troika countries, China, the United Republic of Tanzania, South Africa, the African Union and the European Union, to bring peace to South Sudan. I reiterate my support for the intention of IGAD to expand the mediation to include other partners in order to sustain efforts to keep the parties engaged in peaceful dialogue. Months of negotiations have delivered a road map for peace. Still, the responsibility to seize this opportunity, to end the violence

and pave the way for the restoration of stability lies with the parties to the conflict. The United Nations stands ready to provide additional support to the talks, as requested by IGAD. I urge regional leaders to resolve any differences they may have on the way forward for the peace process and expeditiously resume negotiations, supported by a strengthened mediation and an enlarged group of political backers.

64. Security developments on the ground are increasingly worrisome. Government and SPLM/A in Opposition forces have continued to engage in active hostilities in strategic locations, particularly in Unity and Upper Nile States. I am deeply concerned that both parties have mobilized new recruits. Reports of the ongoing recruitment and abduction of children are extremely worrisome. These developments reflect an apparent belief by both parties that their interests are better served by improving their positions on the ground through military means than by making meaningful concessions at the negotiation table. I therefore reiterate my call upon President Kiir and Riek Machar to cease all military operations immediately, release all children mobilized within their ranks and engage in meaningful dialogue on all outstanding issues towards the establishment of a transitional government of national unity. Should the parties fail to show willingness to compromise, and continue giving priority to military confrontation, those responsible will have to face the consequences. In this regard, I have taken note of the unanimous adoption by the Security Council of resolution 2206 (2015) on 3 March, establishing a targeted sanctions regime for those seeking to obstruct the peace process in South Sudan.

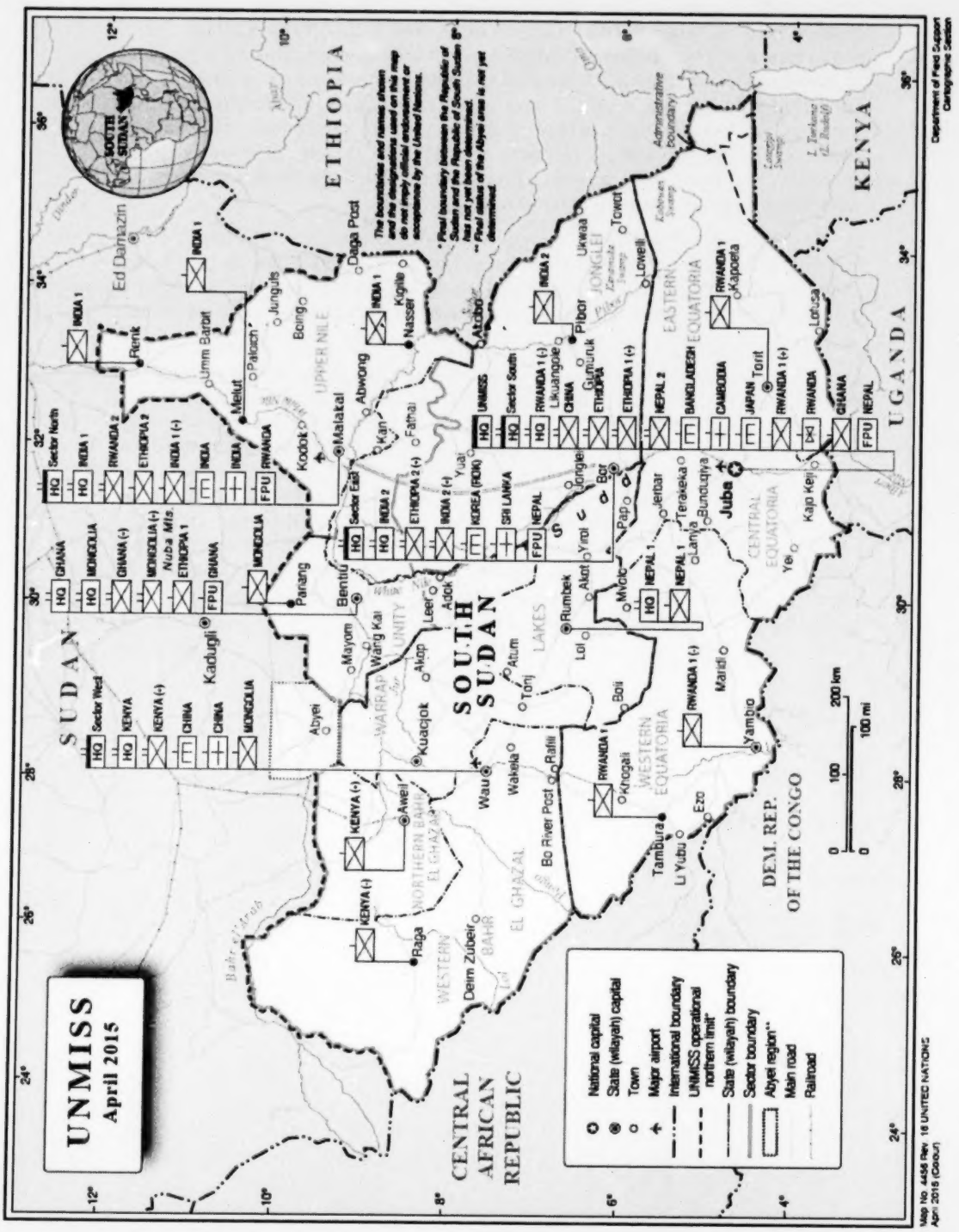
65. Meanwhile, the humanitarian situation remains dire. Over 2 million people have been displaced from their homes as a result of the protracted insecurity and the numbers are rising. The negative impact of the conflict on the economy is further exacerbating the already desperate living conditions of millions of vulnerable South Sudanese. I urge the parties to the conflict to guarantee the safety, security and unrestricted freedom of movement of United Nations and associated personnel, throughout the territory of South Sudan, as well as the full, safe and unhindered access of relief personnel, equipment and supplies to all those in need, particularly internally displaced persons and refugees. Any hostile act against United Nations and associated personnel is unacceptable. In this regard, I call on the Government to ensure the immediate release, without harm, of the three missing United Nations agency personnel, two contractors and three UNMISS staff members who remain in arbitrary detention. I also remind the parties to the conflict, especially the Government, which has the primary responsibility to protect civilians, of their obligation to ensure a secure environment that will facilitate the eventual safe and voluntary return of internally displaced persons and refugees, and to respect international human rights and humanitarian law.

66. Perpetrators of human rights violations and abuses during the conflict must be held accountable. Regrettably, there has been little progress in this area. I, therefore, reiterate my call on the African Union Peace and Security Council to consider the release of the African Union Commission of Inquiry report on South Sudan. In support of the peace negotiations, the Secretariat is finalizing a report outlining options for criminal and transitional justice processes in South Sudan. This should help the parties to determine the precise course of action to be followed to ensure accountability. I intend to bring that report to the attention of the IGAD mediation and the parties and will make it available to the Security Council.

67. UNMISS continues to make every effort to implement its protection of civilians mandate under Security Council resolutions 2155 (2014) and 2187 (2014) and to extend its reach beyond UNMISS bases to provide protection to the hundreds of thousands of vulnerable civilians throughout South Sudan in a targeted and prioritized way. In this regard, I renew my earlier calls for troop-contributing countries to expeditiously deploy remaining surge capabilities and military equipment, which are critical to enable UNMISS to deliver its mandated tasks effectively and fully, and I urge the Government of South Sudan to extend its full cooperation to the deployment of those remaining assets.

68. As the Security Council considers a further extension of the UNMISS mandate, and in view of the lack of progress towards securing a peaceful settlement of the conflict, coupled with ongoing fighting and civilian displacement on the ground, I recommend that the current mandate be extended for a further six months without major changes.

69. In closing, I wish to express my deep appreciation to the military, police and civilian personnel of UNMISS, who, under the able leadership of my Special Representative, Ellen Margrethe Løj, continue to work courageously to protect hundreds of thousands of civilians under threat of physical violence, to safeguard human rights and to facilitate the work of the humanitarian community in delivering assistance to the millions of South Sudanese in need. I particularly thank the troop- and police-contributing countries that have provided much-needed uniformed personnel and assets to the Mission. I also commend the personnel of the United Nations country team and non-governmental organization partners for their steadfast efforts to provide vital humanitarian emergency assistance to the population, under increasingly arduous and challenging conditions.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April 2015
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Security Council

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Letter dated 29 April 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

I have the honour to submit to you herewith a declaration by the Government of Burundi concerning the current security situation in Burundi (see annex).

I kindly request that the present letter and its annex be issued as a document of the Security Council.

(*Signed*) Albert **Shingiro**
Ambassador
Permanent Representative

15-06735 (E) 010515 010515

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Annex to the letter dated 29 April 2015 from the Permanent Representative of Burundi to the United Nations addressed to the President of the Security Council

[Original: French]

General Secretariat of the Government of Burundi

Communiqué from the Government of Burundi concerning the current security situation

1. The Government of Burundi hereby informs the nation and the international community that the country is at peace, despite an insurgency that erupted in some parts of the city of Bujumbura following the irresponsible calls from several civil society organizations to oppose the decision of the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD) to nominate the current President of the Republic as its candidate for the presidential elections scheduled for 29 June 2015.

2. The Government of Burundi notes that what the organizers called "peaceful demonstrations" quickly turned into an insurgency marked by violence, the use of firearms, the lynching or execution of people opposed to the movement, and violent provocations against law enforcement.

3. The Government of Burundi reiterates its appreciation for the contents of the statement issued on the eve of the CNDD-FDD party convention by the diplomatic corps accredited in Bujumbura, which called on political parties and civil society organizations to refrain from any act of violence. Nevertheless, the Government of Burundi hopes that, beyond issuing statements, the international community will unequivocally condemn the insurgency and take measures against those responsible for the insurrectional movement, which is placing a severe strain on the nation of Burundi and has sowed fear among some Burundians, forcing them into exile.

4. The Government of Burundi hereby informs the nation and the international community of the establishment of a crisis committee that will propose all measures to bring about peace and calm in the areas where the insurgency is taking place, to ensure that the campaigns for municipal and legislative elections can begin in a climate of peace.

5. The Government of Burundi expresses its sincere condolences to the families that have lost children, friends or relatives during this insurrection, reiterates its solidarity with injured police officers and reaffirms its determination to ensure the security of persons and property throughout the country using all means at its disposal.

6. The Government of Burundi calls on the international community to maintain its support for the electoral process, which is the only way to guarantee peace, consolidate democracy and promote national reconciliation, on behalf of all Burundians.

7. The Government of Burundi notes with regret that certain political parties of the opposition as well as certain civil society organizations still intend to encourage

the insurgent movement with the aim of preventing the holding of elections, a situation that would bring about the transitional government they fervently desire.

8. The Government of Burundi recalls that compliance with the laws in force and the legal mechanisms for demands of a political nature is not negotiable and that those who break the law will be brought to justice. The Government is committed to continuing dialogue with all parties involved in the electoral process in order to maintain a favourable climate for elections.

Done at Bujumbura on 29 April 2015

Philippe **Nzobonariba**
Secretary-General and Spokesperson for the Government

United Nations S/2015/298

Security Council

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29 April 2015

Original: English

Sixth report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 2107 (2013)

I. Introduction

1. The present report is submitted pursuant to paragraph 4 of Security Council resolution 2107 (2103) and covers developments pertaining to the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, since the issuance of my previous report, dated 30 January 2015 (S/2015/70).

2. During the reporting period, bilateral relations between Iraq and Kuwait continued to improve. On 16 March, Kuwait took possession of its former consulate premises in Basra, following the facilitation for the return of the property by the Government of Iraq, which brought Kuwait a step closer to reopening its consulate. On 29 March, the President of Iraq, Fuad Masum, met with the Emir of Kuwait, Sabah al-Ahmad al-Jaber al-Sabah, on the margins of the twenty-sixth summit of the League of Arab States, held in Sharm el-Sheikh, Egypt, to discuss issues of mutual concern and ways of promoting effective relations. On 30 March, the Ministries of Oil of Iraq and Kuwait signed two memorandums of understanding on the use of joint oilfields.

3. On 30 and 31 March, I visited Iraq and Kuwait. During my visits, I met with the President of Iraq, the Prime Minister of Iraq, Haider al-Abadi, the Minister for Foreign Affairs of Iraq, Ibrahim al-Jafaari, the Speaker of the Council of Representatives of Iraq, Salim al-Jabouri, and the First Deputy Prime Minister and Minister for Foreign Affairs of Kuwait, Sabah Khaled al-Hamad al-Sabah. In those meetings, I commended the enhancement of relations between the two countries, while also reiterating the need for tangible results on the file of missing Kuwaiti persons and property and encouraging the parties to exert all efforts, as well as promising the assistance of the United Nations Assistance Mission for Iraq (UNAMI) on the file.

4. In his first trip outside Iraq, my Special Representative visited Kuwait on 27 April. He met the Prime Minister, Jaber al-Mubarak al-Hamad al-Sabah, the First Deputy Prime Minister and Minister for Foreign Affairs, the Director of the Follow-up and Coordination Department, Nasser Subeeh al-Subeeh, the Ambassador of Kuwait to Iraq, Ghassan al-Zawawi, the head of the regional delegation of the International Committee of the Red Cross (ICRC) to the Cooperation Council for the Arab States of the Gulf, Yahia Alibi and the Chairman of the National

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Committee for Missing Persons and Prisoners of War Affairs, Ibrahim al-Shaheen. The Prime Minister reiterated Kuwait's abiding commitment to support Iraq and its Government and its wish for Iraq's unity, stability and security. The Minister for Foreign Affairs reinforced these messages and pledged Kuwait's humanitarian support and its willingness to play a role in helping Iraq to improve its relations with countries in the Gulf and the rest of the region. All the interlocutors stressed that the issue of the missing persons was very emotional for Kuwaitis and that the lack of tangible results was disappointing. They expressed their strong commitment to the tripartite mechanism, while acknowledging the need to use it more effectively for the achievement of tangible results. My Special Representative reassured them that UNAMI, along with the other parties, would work with the tripartite mechanism and proactively seek ways to make all efforts more effective. The Minister for Foreign Affairs said that Kuwait looked forward to receiving Iraq's Minister for Human Rights and was open to any suggestion put forward by UNAMI to achieve progress on this file.

5. Despite the challenging security situation in the country throughout the reporting period, the Government of Iraq persisted in the search for missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives, reasserting its commitment to achieving tangible results.

II. Recent activities with regard to the repatriation and return of all Kuwaiti and third-country nationals, or their remains

6. During the reporting period, my Deputy Special Representative for Political Affairs met with the Adviser to the Minister for Foreign Affairs and to the Minister of Finance of Iraq to assess progress in the search for Kuwaiti and third-country nationals and explore new avenues to advance that search. My Deputy Special Representative also met with the International Commission on Missing Persons and academic institutions to discuss ways in which new technology could help to identify mass graves. From 16 to 18 March, UNAMI participated, in an observer capacity, in the meeting of the sub-advisory working group and the eighty-ninth session of the Technical Subcommittee of the tripartite mechanism, which took place in Kuwait.

7. On 3 March, the Iraqi interministerial committee on missing Kuwaiti nationals convened under the aegis of the Ministry of Human Rights of Iraq to assess progress in the search for information on burial sites, as well as witnesses and informants. It was agreed that the committee would adhere to its 2015 workplan to the best possible extent, given the current security situation in Iraq.

8. On 11 and 12 March, the Iraqi Ministry of Human Rights, in cooperation with the Ministry of Foreign Affairs, published an announcement in local daily newspapers in an attempt to identify witnesses with knowledge of missing Kuwaiti and third-country nationals and missing Kuwaiti property. In an effort to reach a wider audience, the announcement was also broadcast on local television channels. Future advertisements will include the telephone numbers of the International Committee of the Red Cross, as previously agreed.

9. On 18 March, during the meeting of the Technical Subcommittee of the tripartite mechanism, the parties agreed to take the framework on the protection of

witnesses as a non-binding set of guiding principles for their protection, provided that those guidelines are not in contradiction with national legislation.

10. From 24 to 29 January, the Ministry of Human Rights, in collaboration with a specialized team from Baghdad University, and with the participation of the Ministry of Health and the Medico-Legal Institute, carried out a ground-penetrating radar trial in the al-Khamisiya site of Thi-Qar governorate, in order to determine its applicability for the localization of potential burial sites. Acknowledging difficulties in detecting and determining radar marks for human remains buried for a long period of time, the Government of Iraq stated that it would proceed with further trials. The members have agreed to conduct forensic presentations on the use of technology and forensic operations in challenging contexts, drawing on the expertise of organizations with widespread experience in that field.

11. Following inconclusive mid-January operations on the border between Kuwait and Saudi Arabia, where witnesses could not pinpoint the location of the alleged burial sites of Kuwaiti missing persons, the Government of Iraq renewed contact with the witnesses, who were able to provide further details. Consequently, the Government of Iraq requested the assistance of Saudi Arabia in identifying the location, as it may have been close to a military base during the war and Saudi Arabia may have archived information on that base.

III. Recent activities with regard to the return of Kuwaiti property

12. On 5 March, my Deputy Special Representative was informed by the Adviser to the Iraqi Ministers for Foreign Affairs and Finance that the Government had collected a number of books belonging to Kuwait and that arrangements would be put in place to hand over the property. In the light of the continued failure to unearth the Kuwaiti national archives, my Deputy Special Representative has reiterated his proposal of searching the archives of the different ministries with the assistance of volunteers.

IV. Observations

13. I am encouraged by the enhanced ties and cooperation between Iraq and Kuwait. The goodwill between the two States is at its strongest since 1990, as demonstrated, in particular, by the agreement of the Government of Kuwait to a one-year deferral of the reparation payments by the Government of Iraq. Progress on the file of missing Kuwaiti persons and property is central to the full normalization of relations between the two countries and will have far-reaching implications on other aspects of mutual interest. I believe that this is a very opportune moment for Iraq and Kuwait to review efforts on this important humanitarian issue and decide on an enhanced course of action, notably within the tripartite mechanism.

14. I appreciate the efforts and commitment of the Government of Iraq, particularly in view of the difficult security and economic situation in the country. However, I remain concerned that no tangible results have been achieved in the search for missing Kuwaiti persons and property, including the national archives. I hope that the Government of Iraq will spare no effort to make progress on this issue

and bring solace to the grieving families of the missing persons, who have been waiting for news for almost 25 years.

15. In this regard, I reiterate my call on Iraq to take advantage of scientific advances and modern technology in the search for remains, including new forensic and geological exploration techniques and infrastructure, and to continue building the capacity of its institutions to improve the efficiency of the search. I welcome the decision of the members of the Technical Subcommittee of the tripartite mechanism to invite forensic experts to share their knowledge on available technologies and their applicability and relevance. This knowledge-sharing opportunity may allow Iraq to achieve progress on this important search.

16. I note with regret that no evidence or information has emerged with regard to the Kuwaiti national archives. I reiterate my previous call on the Government of Iraq to take into consideration the proposal by UNAMI of developing a targeted information campaign focusing on the national archives and of receiving assistance from volunteers to search the archives of different ministries. I strongly encourage the parties to continue convening the Joint Property Committee every six months in order to achieve progress on this issue.

17. I commend the longstanding dedication and work of ICRC in addressing the issue of the missing Kuwaiti and third-country nationals, particularly through its tireless efforts as the Chair of the Technical Subcommittee. This guidance and leadership is allowing the parties to come together and jointly explore the best possible avenues in the search for the missing persons.

18. I reiterate the unwavering commitment of UNAMI to moving forward the issue of missing Kuwaiti persons and property, as well as its preparedness to continue participating in the relevant Iraqi interministerial committees. Through my Special Representative and my Deputy Special Representative for Political Affairs, UNAMI will continue to provide its full assistance to promote, support and facilitate Iraqi efforts. I encourage Iraq to use this expertise.

United Nations S/2015/299

Security Council

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29 April 2015

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Letter dated 29 April 2015 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2213 (2015), adopted on 27 March 2015, by which the Council decided to extend until 30 April 2016 the mandate of the Panel of Experts on Libya.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya, I have appointed the following experts:

Mr. Naji Abou-Khalil, armed groups/regional issues (Lebanon)

Mr. Jan Barend Coetzee, arms (South Africa)

Mr. Simon Dilloway, finance (United Kingdom of Great Britain and Northern Ireland)

Mr. Juan Alberto Pintos Servia, maritime/transport (Spain)

Mr. Steven Spittaels, finance/armed groups (Belgium)

Ms. Savannah de Tessières, arms (France)

I have also designated Ms. Savannah de Tessières to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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United Nations S/2015/300

Security Council

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29 April 2015

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Letter dated 29 April 2015 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1031 (1995), I have the honour to transmit the forty-seventh report on the implementation of the Peace Agreement on Bosnia and Herzegovina, covering the period from 21 October 2014 to 21 April 2015, which I received from the High Representative for Bosnia and Herzegovina (see annex).

I should be grateful if you would bring the report to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

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Annex

Letter dated 23 April 2015 from the High Representative for Bosnia and Herzegovina addressed to the Secretary-General

Pursuant to Security Council resolution 1031 (1995), in which the Council requested the Secretary-General to submit to it reports from the High Representative in accordance with annex 10 of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Conclusions of the London Peace Implementation Conference of 8 and 9 December 1995, I herewith present to you the forty-seventh report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina. I would ask that the report be distributed to the Security Council members for their consideration.

This is my thirteenth report to the Secretary-General since assuming the post of High Representative for Bosnia and Herzegovina and European Union Special Representative on 26 March 2009. The present report covers the period from 21 October 2014 to 21 April 2015.

Should you or any Council member require any information beyond what is provided in the attached report or have any questions regarding its contents, I should be pleased to provide you with it.

(*Signed*) Valentin **Inzko**

Forty-seventh report of the High Representative for Implementation of the Peace Agreement on Bosnia and Herzegovina

Summary

The present report covers the period from 21 October 2014 to 21 April 2015. The reporting period has been dominated by three main political developments: the process of government formation following the general elections of October 2014, efforts to kick-start Bosnia and Herzegovina's European Union integration process and continued actions and statements challenging the fundamentals of the Dayton Peace Agreement.

Election results for the State of Bosnia and Herzegovina, the two entities (Federation and Republika Srpska), and the 10 cantons in the Federation were certified on 10 November. The Republika Srpska National Assembly appointed a government on 18 December, which took office on 27 December, making the Republika Srpska government the first executive to be formed on the basis of the October election results. Prolonged disagreement on the distribution of political posts among the Federation-based parties, which had signed a coalition agreement already in November, delayed the final appointment of the State-level Council of Ministers and the Federation government until 31 March. At the time of writing, 7 of the 10 cantonal assemblies in the Federation have elected governments. With the Council of Ministers and Federation government in place, I am encouraged by their respective Prime Ministers' stated intention to undertake serious reform efforts, and to focus on encouraging investment and economic growth as a priority.

The initiative launched by the Foreign Ministers of Germany and the United Kingdom on 5 November in Berlin, which is now an initiative of the European Union, was a significant development, offering Bosnia and Herzegovina a real opportunity to make progress on integration with the Union. After the Presidency's written commitment to the European Union integration process was signed by 14 political leaders and then adopted by the Bosnia and Herzegovina Parliamentary Assembly on 23 February, the Council of the European Union adopted a decision concluding the Union's Stabilization and Association Agreement with Bosnia and Herzegovina on 21 April; the Agreement is expected to enter into force on 1 June. With further progress linked to the implementation of reforms, the country's leaders and institutions can now take full advantage of the opportunity provided by this important step forward for Bosnia and Herzegovina.

From the point of view of my mandate to uphold the civilian aspects of the General Framework Agreement for Peace, a number of actions taken during the reporting period have raised particular concern. These have included the regular practice by the Republika Srpska-based Alliance of Independent Social Democrats and its partner, the Democratic People's Alliance, of walking out of sessions of the Bosnia and Herzegovina House of Representatives, and a short-lived boycott by those parties of the Bosnia and Herzegovina House of Peoples that briefly prevented the House from convening in March. On 17 April, the Republika Srpska National Assembly adopted a declaration denying the authority of decisions of the Bosnia and Herzegovina Constitutional Court as established under annex 4 of the General

Framework Agreement for Peace, which also represents a challenge to the rule of law. In addition, the reporting period was marked by a number of fresh statements by officials of the Republika Srpska calling for that entity's secession from Bosnia and Herzegovina.

Under the authority vested in me, I use this report to once again make clear that the entities have no right to secede from Bosnia and Herzegovina under the General Framework Agreement for Peace and that the sovereignty and territorial integrity of Bosnia and Herzegovina are guaranteed by the General Framework Agreement for Peace, the Bosnia and Herzegovina Constitution and international law.

As noted in previous reports, Bosnia and Herzegovina has been on a downward trajectory since 2006, and its citizens expect and deserve more from their newly elected leaders than more time wasted. In this context, the European Union initiative and those domestic actors who carry it forward will have my strong support, as will all future efforts aimed at delivering the concrete results that are necessary to open the way for Bosnia and Herzegovina to apply for candidate country status. It is vitally important that incoming governments at all levels ensure that they make a decisive break with the past by doing politics in a new way, one that puts the interests of citizens and the country as a whole first.

Given the complex environment that continues to prevail in the country, the presence of the European Union military mission in Bosnia and Herzegovina with an executive mandate remains of vital importance, enabling my Office and others in the international community to fulfil our respective mandates as well as reassuring citizens of all ethnic groups throughout the country of a safe and secure environment.

I. Introduction

1. This is my thirteenth report to the Secretary-General since assuming the post of High Representative for Bosnia and Herzegovina. It provides a narrative description of progress made towards attaining the goals outlined in previous reports, registers factual developments, logs relevant citations relating to the reporting period, and provides my assessment of the implementation of key areas falling under my mandate. I have focused my efforts on addressing these areas, in line with my primary responsibility to uphold the civilian aspects of the General Framework Agreement for Peace, while also encouraging progress on the five objectives and two conditions for the closure of the Office of the High Representative and working to preserve steps that have previously been taken to implement the Agreement.

2. My energies continue to be directed towards meeting my mandate as defined under annex 10 of the General Framework Agreement for Peace and relevant resolutions of the Security Council. My Office fully supports the efforts of the European Union and the North Atlantic Treaty Organization (NATO) to help Bosnia and Herzegovina to move along the path towards closer integration with those organizations.

II. Political update

A. General political environment

3. The reporting period was dominated by efforts to form governments after the general elections of October 2014 and a European Union initiative to kick-start Bosnia and Herzegovina's integration process with the Union. Regrettably there continued to be statements and actions challenging the fundamentals of the General Framework Agreement for Peace. This continued to be a matter of concern, especially given the pressing need for the country to start looking forward and to seize the new opportunity provided to it by the European Union. With the governments and legislatures at the State level now formed, the political establishment faces a stark choice: to pull together and deliver the changes that citizens demand and that are necessary to unlock progress towards the European Union and NATO, or to undermine each other by generating artificial crises to divert citizens' attention from the real problems.

4. Following the certification of election results on 10 November, attention quickly turned to the formation of authorities at the State, entity and cantonal levels. On 27 December, the Republika Srpska became the first of the new governments to assume office.

5. Despite coalition agreements being signed in the Federation and at the State level, disagreements over the distribution of ministerial posts delayed the establishment of the State and Federation governments until 31 March. Ultimately, the parties that comprise the ruling coalition in the Federation — the Party of Democratic Action (SDA), the Croatian Democratic Union of Bosnia and Herzegovina (HDZ Bosnia and Herzegovina) and the Democratic Front (DF) — also joined the ruling coalition at the State level. In contrast, the ruling coalition in the Republika Srpska, dominated by the Alliance of Independent Social Democrats

(SNSD), was surpassed at the State level by the Republika Srpska opposition "Alliance for Changes" parties — the Serb Democratic Party (SDS), the Party for Democratic Progress (PDP) and the People's Democratic Movement (NDP). This marks the first time since 2006 that SNSD is not part of the State-level authorities.

6. Government formation has also been slow in many of the cantons in the Federation, and the Herzegovina-Neretva Canton, Central-Bosnia Canton and Canton 10 have yet to elect their governments, owing to ongoing disputes over the distribution of ministerial posts.

7. The process of forming authorities after the general elections has confirmed the need to improve elements of the electoral process, including through improvements to the Bosnia and Herzegovina Election Law and relevant constitutional provisions. Specific issues to be addressed include reviewing constituency boundaries and the allocation of mandates, deficiencies in polling station committees and the regulation of campaign financing. Possible changes regulating the implementation of election results would include a mechanism to ensure that all members are elected to the Federation House of Peoples and the regulation by law of the issue of incompatible posts in a manner that ensures that governments in a caretaker capacity can continue to perform until such time as new governments replace them.

8. I regret to have to report that challenges to the basics of the General Framework Agreement for Peace continued during the reporting period. In addition to continued statements challenging the sovereignty and territorial integrity of Bosnia and Herzegovina, walkouts and boycotts of both Houses of the Bosnia and Herzegovina Parliamentary Assembly have once again occurred. The boycott of the Bosnia and Herzegovina House of Peoples on 17 March 2015 was of particular concern as it was undertaken in the full knowledge that it would prevent the House from securing the required quorum to convene a session. This kind of obstruction must become a thing of the past.

9. A declaration adopted by the Republika Srpska National Assembly on 17 April, relating to the Republika Srpska Law on Holidays, also raised major questions about the commitment of the Republika Srpska authorities to respect the General Framework Agreement for Peace when they decide that it does not suit them. The declaration raised serious concerns on a number of points, not least in its explicit rejection of the clear authority of the Bosnia and Herzegovina Constitutional Court, whose decisions are final and binding under article VI.4 of the Bosnia and Herzegovina Constitution as set forth in annex 4 to the General Framework Agreement for Peace.

10. The Croat National Assembly — a gathering of elected and appointed officials and party leaders of all Croat-prefix parties — convened on 28 February in Mostar to adopt a declaration that included calls for substantial constitutional changes and a new territorial organization of the country. Alternatively, the declaration calls for an international conference to draft a new constitution that would create a symmetrical federal state in relation to the three constituent peoples (Serbs, Croats, Bosniaks).

B. Decisions of the High Representative during the reporting period

11. During the reporting period, I refrained from using my executive powers in line with the policy of the Steering Board of the Peace Implementation Council of emphasizing "local ownership" over international decision-making.

C. Five objectives and two conditions for the closure of the Office of the High Representative

Progress on objectives

12. During the reporting period, the authorities in Bosnia and Herzegovina made limited progress towards meeting the outstanding objectives set by the Steering Board of the Peace Implementation Council as prerequisites for the closure of the Office of the High Representative.

State and defence property

13. During the reporting period my Office continued efforts to facilitate an acceptable and sustainable resolution of the questions of State and defence property, primarily through direct contacts with relevant domestic and international stakeholders. The lack of political will to achieve a compromise within the framework of the clear principles laid out in the decision of July 2012 of the Bosnia and Herzegovina Constitutional Court remains the primary obstacle to progress.

14. On the specific issue of "prospective defence property", meaning property to be used by the Bosnia and Herzegovina Ministry of Defence and the Armed Forces of Bosnia and Herzegovina, there has been some progress in recent months in achieving the registration of those properties in the name of the Bosnia and Herzegovina State. Starting in December, the Bosnia and Herzegovina Ministry of Defence forwarded requests to the Bosnia and Herzegovina Public Attorney's Office to initiate the registration of such properties under the ownership of the State of Bosnia and Herzegovina. The Bosnia and Herzegovina Public Attorney's Office is now expected to submit requests to the competent authorities as soon as possible to complete the registration of the properties.

15. In the meantime, the land registry authorities in Republika Srpska decided to freeze the previously initiated process of public inspection of property records and data relating to prospective defence properties. Consequently no further reregistration of those assets by the Republika Srpska authorities is expected. I raised concerns in my last report that this process could result in properties that should belong to the State under the Bosnia and Herzegovina Law on Defence being registered instead in the name of the entity or its municipalities. One such case covered in my last report relates to the Veliki Žep location in the Han Pijesak municipality in Republika Srpska. This case is now before the Court of Bosnia and Herzegovina and the verdict could set a precedent for any future disputes over prospective defence locations in the Republika Srpska.

16. In my previous report I also raised concerns related to the Law on the Temporary Prohibition of Disposal of State Property, better known as the State Property Disposal Ban. This decision was enacted by the High Representative in March 2005 and subsequently adopted by the Bosnia and Herzegovina

Parliamentary Assembly. Its purpose is to prevent authorities from selling or otherwise disposing of publicly owned property before this issue has been properly regulated. It appears that in recent years the Republika Srpska government has adopted several decisions transferring the right of ownership over sites used by the military of the former Yugoslavia to municipalities or other third persons, in direct violation of the ban. This practice produces several legal and practical complications, primarily for those who wrongly believe they have acquired property rights on the basis of transactions that violated the ban. It also damages the established property rights of the State of Bosnia and Herzegovina.

Fiscal sustainability

17. The Office of the High Representative continued to follow, analyse and keep its international partners informed of developments relating to fiscal sustainability, including developments in the Governing Board of the Indirect Taxation Authority and the Bosnia and Herzegovina Fiscal Council. While the Fiscal Council did not meet at all during the reporting period, the Governing Board held six meetings under the chairmanship of the Bosnia and Herzegovina Minister of Finance and Treasury. Despite the continued efficiency of the Governing Board, the Republika Srpska members remained opposed to regular adjustments of indirect tax revenue allocation coefficients as well as to the indirect tax revenue settlements for the second half of 2012 and the first half of 2014, for which the Republika Srpska owes the Federation approximately €21 million. This calls into question compliance with the Governing Board regulations. The Bosnia and Herzegovina authorities also made a commitment to the International Monetary Fund (IMF) to address these issues. It also burdens inter-entity relations and provides an additional challenge to the indirect tax system, which provides over 80 per cent of budget revenue to all levels of government in Bosnia and Herzegovina. These problems will need to be addressed by the new composition of the Governing Board of the Indirect Taxation Authority.

Brcko District

18. Brcko District authorities continued to meet on a regular basis during the reporting period. However, progress was slow as the government was thrown into turmoil from October to December after one of the parties withdrew from the ruling coalition. The government crisis was resolved when an opposition party, the Party for a Better Future, joined the parliamentary majority, triggering a government reshuffle.

19. Owing in part to the coalition crisis, the Brcko District Assembly did not adopt a budget for 2015 until 30 March, the first quarter being covered under temporary financing arrangements. The adopted budget foresees unrealistic spending, with an uncovered deficit of €7.1 million. Additional financial uncertainty was caused by the bankruptcy of a notable Republika Srpska-based bank, in which the Brcko District institutions held deposits totalling nearly €10.7 million.

20. During the reporting period, my office engaged with the Brcko District institutions on preparing laws relating to financial matters and relevant for the implementation of the Memorandum on Institutional Cooperation and Exchange of Data among the four tax administrations in Bosnia and Herzegovina. The laws also aim to support the District in improving transparency in the business environment, fighting the grey economy and harmonizing the District's legal system with the rest of the country.

21. My Office also engaged with the District institutions to amend the 2012 decision of the Brcko District Assembly on protection of the civilian victims of war, according to which civilian victims of sexual violence are required to produce evidence of a judicial conviction against perpetrators in order to obtain the status of civilian victim and receive compensation and other benefits. As a consequence of the application of that decision, many civilian victims who live in the Brcko District have moved to the Federation or registered their place of residence there in order to be recognized as victims of war and be entitled to benefits.

D. Challenges to the General Framework Agreement for Peace

Challenges to the sovereignty and territorial integrity of Bosnia and Herzegovina

22. During the reporting period, officials of the ruling SNSD party in Republika Srpska continued their longstanding practice of directly questioning and challenging the sovereignty and territorial integrity of Bosnia and Herzegovina.[1] Although the Republika Srpska President continues to be the most frequent and vocal exponent of state dissolution, during the reporting period he was joined by other officials from his party. A member of the Bosnia and Herzegovina House of Peoples and senior SNSD official, Nebojsa Radmanovic, was widely criticized when he announced to media on 9 April that the SNSD party would adopt a resolution on a "free and independent" Republika Srpska.[2]

Challenges to the competencies of Bosnia and Herzegovina State institutions, in particular the Constitutional Court

Republika Srpska National Assembly declaration on a case before the Bosnia and Herzegovina Constitutional Court

23. On 17 April, the Republika Srpska National Assembly adopted a declaration concerning the 2013 request by a member of the Bosnia and Herzegovina Presidency, Bakir Izetbegovic, for the Constitutional Court to assess the

[1] "I do not see Bosnia and Herzegovina as a country in which the Republika Srpska is going to stay permanently and whether one likes it or not this is the basic feeling of Republika Srpska citizens." Republika Srpska President Milorad Dodik. *Oslobodjenje*, 22 March 2015; in response to a journalist's question whether Bosnia and Herzegovina would join the European Union or the Republika Srpska would leave Bosnia and Herzegovina sooner, the Republika Srpska President responded that "the Republika Srpska will leave Bosnia and Herzegovina first". *N1 TV*, 15 March 2015; "Bosnia and Herzegovina is an utterly unsuccessful country and the Republika Srpska is entitled to assert its right to self-determination, which needs to be developed even further." Republika Srpska President Milorad Dodik, *Vijesti.ba/FENA*, 3 March 2015; "We keep saying that our goal is independence and that we want to manage our resources and ourselves alone. Of course, we are aware that our lives must correspond and develop with others, but we want to be our own masters on our own territory and in this way be a part of overall efforts for peace ... Republika Srpska must protect itself and it will adopt all regulations to strengthen its autonomy on its path to independence." Republika Srpska President Milorad Dodik, *BETA*, 9 January 2015; "Concerning Bosnia and Herzegovina, I want to say clearly from this place today that Bosnia and Herzegovina is a state union in which Republika Srpska brought its sovereignty." Republika Srpska President Milorad Dodik, *Nezavisne Novine*, 24 November 2014.

[2] Reported in *Glas Srpske*, 9 April 2015. "Once the resolution is finished, the reactions of different spokespersons who give us lectures about sovereignty will look ridiculous, since everyone knows very well that Bosnia and Herzegovina is not sovereign. ..." Nebojsa Radmanovic, *Nezavisne Novine*, 11 April 2015.

constitutionality of the Republika Srpska Law on Holidays. In the declaration the parliament expressed its intent not to implement the pending decision of the Bosnia and Herzegovina Constitutional Court in this case if it does not support the Republika Srpska view, as well as to review past decisions of the Court.

24. The declaration in this regard not only represents a direct challenge to the independence of the Bosnia and Herzegovina Constitutional Court, insofar as it amounts to an unacceptable attempt to exert political pressure on a court in its deliberations on a particular case, but is also in direct violation of article III.3 (b) and article VI.5 of the Constitution of Bosnia and Herzegovina, which provide that the "[d]ecisions of the Constitutional Court are final and binding", and that "[t]he Entities and any subdivisions thereof are required to comply fully with this Constitution (...), and with the decisions of the institutions of Bosnia and Herzegovina". In addition, the declaration disregards article VI of the Constitution of Bosnia and Herzegovina insofar as it questions the presence of international judges in the Court and the legitimacy of decisions taken by the Court with those judges, and announces that the Republika Srpska National Assembly may assess the legitimacy, legality and validity of decisions taken by the Court since 2001.

25. The request contained in the declaration to the Parliamentary Assembly of Bosnia and Herzegovina to adopt a law on the Constitutional Court, which would prescribe the composition, election, organization, jurisdiction and procedure, as well as other issues of relevance for the operation of the Constitutional Court, is also problematic. Short of amending the Constitution, the Parliamentary Assembly of Bosnia and Herzegovina is bound by its provisions concerning the composition, organization and competencies of the Court and cannot interfere with the rules of the Court foreseen in article VI of the Constitution of Bosnia and Herzegovina.

26. The declaration also raises concerns in that it bases its arguments on the inaccurate view that Bosnia and Herzegovina and its "international sovereignty and national identity" were established only by the will of the two entities in the Dayton Peace Agreement, and did not exist previously. This directly contradicts article I of the Constitution of Bosnia and Herzegovina and ignores the fact that Bosnia and Herzegovina was recognized internationally prior to Dayton.

Republika Srpska Law on Courts

27. The Republika Srpska Law on Courts remains at variance with both the state-level Law on the High Judicial and Prosecutorial Council and the Bosnia and Herzegovina Constitution. Amendments to the law adopted by the Republika Srpska National Assembly at first reading on 17 April do not correct these deficiencies. This issue is described in further detail below in the section entitled "Entrenching the rule of law".

Boycotts and walkouts of both Houses of the Bosnia and Herzegovina Parliamentary Assembly

28. Since 15 January, SNSD delegates in the House of Representatives have walked out of every session of the House in protest against the rejection of their proposal to discuss the removal of the House Speaker. Their request relates to documents and allegations made public by the former Federation Vice-President against the Speaker in relation to alleged war crimes. The Prosecutor's Office has

announced that it will not launch a criminal investigation against the Speaker for lack of evidence. However, the walkouts continue.

29. There was a boycott at the Bosnia and Herzegovina House of Peoples on 17 March, when its session could not be convened owing to a lack of quorum caused by the non-attendance of three Serb delegates. SNSD announced the boycott the day before, claiming that rules had been violated in the election of members of the Joint Committee for Oversight of the Intelligence and Security Agency by the House of Representatives. SNSD delegates agreed to return to the House on 30 March. Regardless of the validity of the complaints of SNSD and the Democratic People's Alliance (DNS) against the appointments to the Joint Committee, this cannot justify boycotting the Bosnia and Herzegovina Parliamentary Assembly and preventing the Bosnia and Herzegovina House of Peoples from convening.

III. State-level institutions of Bosnia and Herzegovina

Presidency of Bosnia and Herzegovina

30. The newly elected Presidency of Bosnia and Herzegovina, comprising Serb member Mladen Ivanic, Croat member Dragan Covic, and Bosniak member Bakir Izetbegovic, officially assumed office on 17 November and has been meeting in a productive atmosphere. President Ivanic is serving as Chair of the Presidency during the first eight months of its mandate. The new Presidency held five regular sessions and the former Presidency one session during the reporting period.

31. In addition to appointing the new Chair of the Council of Ministers on 9 February, the priority of the Bosnia and Herzegovina Presidency during the reporting period was to oversee the preparation and adoption of the written commitment to European Union reforms. After leading lengthy negotiations with 14 party leaders between December and February, the Bosnia and Herzegovina Presidency eventually adopted that document on 29 January. The written commitment was subsequently signed by the 14 political leaders and then endorsed by the Bosnia and Herzegovina Parliamentary Assembly.

32. The adoption of this important document opens the way for the European Union to proceed with the conclusion and entry into force of the Stabilization and Association Agreement. While this is an important step, the European Union has made clear that Bosnia and Herzegovina needs to deliver concrete results to open the way for the country to apply for candidate country status.

33. Since its inauguration, the Presidency has made official visits to Slovenia and Croatia.

34. At its 11 February session, the Presidency decided that the export of weapons to Ukraine was not in "Bosnia and Herzegovina's foreign policy interests".

Council of Ministers of Bosnia and Herzegovina

35. The outgoing Council of Ministers of Bosnia and Herzegovina continued to meet regularly under a technical mandate until the end of March. During this period, the Council of Ministers held a total of 20 sessions, which were largely focused on technical and European Union-related issues. They included the adoption of a number of financial agreements, decisions on temporary financing of Bosnia and

Herzegovina institutions for the periods January-March and April-June 2015, the Council of Ministers report on its work in 2014 and a national programme of economic reforms for 2015.

36. After confirming the appointment of the new Chair of the Council of Ministers on 11 February,[3] the Bosnia and Herzegovina House of Representatives finally confirmed the new Council of Ministers on 31 March. The delay was caused by politically linking it to the formation of the Federation government despite there being no legal or political justification for this.

37. In the intervening period, the new Council of Ministers held three sessions. Its most pressing priorities include adopting a 2015 State budget, speeding up the implementation of Euro-Atlantic requirements and supporting economic growth.

Parliamentary Assembly of Bosnia and Herzegovina

38. The House of Representatives of Bosnia and Herzegovina was inaugurated on 9 December 2014, when the Speaker and his deputies were appointed.[4] The election of working bodies was completed on 29 December and the House has met 10 times in regular session and three times in urgent session since.

39. The inaugural session of the House of Peoples of Bosnia and Herzegovina began on 29 January 2015, and the House finally managed to appoint its leadership on 16 February. It elected its working bodies on 26 February.[5] The House of Peoples held three regular and two urgent sessions during the reporting period.

40. The appointment of joint parliamentary working committees was completed on 30 March with the exception of the Joint Committee for Oversight of the Intelligence and Security Agency. As described earlier in this report, the membership of that committee is disputed and it is vitally important that it be formed in line with the relevant legal acts.

41. Most significantly during the reporting period, the Bosnia and Herzegovina Parliamentary Assembly supported the written commitment on European Union reforms on 23 February 2015.

42. Also on a positive note, the parliament adopted amendments to the Law on the Policy of Direct Foreign Investment. Although it also adopted an amendment to the Criminal Code of Bosnia and Herzegovina in an effort to ensure compliance with international standards on countering money-laundering and financing of terrorism as required by the Committee of Experts (MONEYVAL) of the Council of Europe, the adopted amendment was deemed insufficient to ensure compliance. The two sets of amendments represent the only legislation adopted by the new Parliamentary Assembly so far.

43. The brief boycott of the Bosnia and Herzegovina House of Peoples and the policy of repeated walkouts from the Bosnia and Herzegovina House of Representatives by SNSD delegates have been covered elsewhere in this report. It is worth noting that, despite repeated walkouts from the plenary session of the House

[3] Council of Ministers Chair Denis Zvizdic (SDA/Bosniak).

[4] Speaker Sefik Dzaferovic (SDA/Bosniak), Deputy Speaker Borjana Kristo (HDZ Bosnia and Herzegovina/Croat), Deputy Speaker Mladen Bosic (SDS/Serb).

[5] Speaker Barisa Colak (HDZ Bosnia and Herzegovina/Croat), Deputy Speaker Ognjen Tadic (SDS/Serb), Deputy Speaker Sakib Softic (SDA/Bosniak).

of Representatives, SNSD delegates have continued regular participation in parliamentary working bodies.

Sutorina dispute

44. In an unexpected development, on 15 January, the Bosnia and Herzegovina House of Representatives debated a resolution tabled by a delegate of the Social Democratic Party (SDP) calling for the rejection by the parliament of a proposed border agreement between Bosnia and Herzegovina and Montenegro. The resolution focuses on Sutorina, a small coastal area in Montenegro, which some Bosnia and Herzegovina parliamentarians argued should belong to Bosnia and Herzegovina. The House of Representatives decided to organize an open public debate (on 24 February) and a closed-door legal experts' debate (on 9 April) before voting on the resolution. The Montenegrin authorities protested strongly against this development. Given the otherwise extremely good relations between the two countries, I hope that we will see a border treaty between the countries ratified without any further delay. Such a step would undoubtedly have a positive impact in the wider region.

IV. Federation of Bosnia and Herzegovina

Formation of Federation authorities

45. The Federation House of Representatives held its inaugural session on 2 December.[6]

46. On 15 January, following the completion of the second round of elections for delegates to the Federation House of Peoples, the House held its inaugural session, verifying the mandates of 54 delegates, while four seats remained vacant as it was only possible to elect 13 of the 17 prescribed delegates to the Serb caucus from all cantonal assemblies. A new arrangement to ensure that all delegates are elected to the Federation House of Peoples should be found. Furthermore, the second Deputy Speaker, who must be a Serb, was not appointed, as there was no agreement within the Serb caucus on a candidate.

47. On 9 February, the Federation Parliament elected the entity President and two Vice-Presidents.[7] I would like to praise the constructive role played by the opposition SDP during the nomination process, which opened the way for the Federation Presidency's election.

48. Despite the fact that SDA, DF and HDZ Bosnia and Herzegovina signed a coalition agreement on 19 November, long-running and at times bitter disputes between the parties on the distribution of ministerial posts meant a new Federation government was elected only on 31 March. The first attempt to form the Federation government failed on 19 March owing to an embarrassing failure to respect ethnic quotas in the government that are established under the Federation Constitution. The new Prime Minister entered government from the business sector, a welcome

[6] Edin Music (SDA) was elected Speaker, alongside Mladen Boskovic (HDZ Bosnia and Herzegovina) and Sasa Mitrovic (DF) as Deputy Speakers.

[7] President of the Federation Marinko Cavara (Croat/HDZ Bosnia and Herzegovina), Vice-President Melika Mahmutbegovic (Bosniak/SDA), Vice-President Milan Dunovic (Serb/DF).

development, which I hope will translate into effective policies to encourage economic growth.[8]

49. During the period of delay in appointing a new Federation government, a dispute arose between the outgoing government and the newly appointed Federation President. Following approval of the Federation Privatization Agency's privatization plan for 2015 by the outgoing government, the President ordered all responsible persons in the government and other legal entities of the executive branch to refrain from new decisions which were not indispensable for the functioning of the entity. The order specified that it should apply especially to decisions regarding new appointments and hiring. The outgoing Prime Minister replied officially in writing that "it is absolutely clear that the President has no right to suspend activities which are specified by the Constitution and the laws as the responsibilities of the Government, or any other executive body for that matter". With the appointment of a new government, this dispute is no longer relevant to daily political developments.

Federation Constitutional Court fully staffed

50. On 31 March, the Vital Interest Panel of the Federation Constitutional Court decided to dismiss as ill-founded an earlier vital national interest request invoked by the Bosniak caucus in the Federation House of Peoples against the appointment of one of the Bosniak judges to the Court, effectively unblocking an appointment to the last vacant position on the Court. As a result, the Federation Constitutional Court will have its full quota of judges for the first time since late 2008. This brings to an end a long-running effort, facilitated by my Office, to have a fully functioning Federation Constitutional Court.

Mostar

51. With political parties focused on government formation, no meaningful discussions were held during the reporting period to implement the ruling of the Constitutional Court of Bosnia and Herzegovina on the Mostar electoral system. As a result, the citizens of Mostar continue to be denied their basic right to elect their local representatives, the city has no functioning City Council, and the Mayor of Mostar continues in a caretaker capacity.

52. Temporary financing in the first quarter of the year and a budget for 2015 were made possible following the adoption of amendments to the Law on Budgets in the Federation by the Federation Parliament on 30 January, which — in the absence of a functioning City Council — authorized the City Mayor to enact those decisions with the approval of the City Head of Finance. At the time of writing, a budget for 2015 has not yet been adopted.

V. Republika Srpska

53. An encouraging development in the ongoing reconciliation process was the visit by the Republika Srpska President, Milorad Dodik, to the Potocari Memorial Centre in Srebrenica on 16 April, where he laid a wreath in honour of the victims. Asked by media for comment outside the Memorial Centre, the Republika Srpska

[8] The new Prime Minister is Fadil Novalić (SDA). He is joined by Deputy Prime Minister and Finance Minister Jelka Miličević (HDZ), Deputy Prime Minister and Minister of Trade Aleksandar Remetić (DF) and 14 other ministers.

President refrained from repeating his previously expressed view that genocide did not occur in Srebrenica and instead said, "It is true that a crime occurred here, and I am sorry for all victims, but the fact is also that these events are politicized to a great extent."

54. On 27 December, the Republika Srpska became the first level of authority in Bosnia and Herzegovina to elect a new government after the October elections. The ruling coalition (SNSD, DNS, Socialist Party) has a slim majority (44 of 83 delegates). The outgoing Prime Minister, Zeljka Cvijanovic, was re-elected to lead the government over the next four years.

55. Given the tight election results, the battle to secure a majority became controversial and raised concerns about the integrity of the democratic process when a recording emerged that appeared to allege that two delegates were being paid in some form to change their party allegiances and support the newly elected government. The case raised further controversy and freedom of media concerns when the Internet news service that published the recording was subjected to investigation.

56. The newly elected Republika Srpska government has placed an immediate emphasis on economic issues as a matter of priority. In an attempt to alleviate the difficult financial situation and to stimulate growth, on 6 March the Republika Srpska National Assembly adopted — at the first reading — a first package of reform legislation aimed at improving business competitiveness by providing fiscal breaks to the business sector. The first reform package includes a number of provisions, including a reduction in social contributions, lowered taxes for properties used for production, the abolishment of taxes on dividends and limitations on public spending. On 9 April, the Republika Srpska government adopted a second set of reform laws with the aim of strengthening the law enforcement agencies in their fight against the grey economy.

57. On a less positive note, on 5 February the Republika Srpska National Assembly adopted the Law on Public Peace and Order, which defined the Internet and social networks as "public space", putting them under regulation by the aforementioned law. Ambiguous provisions of the law regulating this issue open the possibility for arbitrary interpretation by law enforcement in prosecuting individuals for their online activities under accusations that public peace and order have been breached.

Non-cooperation with the High Representative

58. The Republika Srpska authorities have continued their policy of denying the High Representative access to official information and documents required to fulfil his mandate. Under annex 10 of the General Framework Agreement for Peace, all authorities in Bosnia and Herzegovina are obliged to fully cooperate with the High Representative, as well as with the international organizations and agencies as provided for in article IX of the Agreement. The practice of the Republika Srpska government not to provide information and documents requested by the Office of the High Representative goes back to 2007. Repeated calls to the Republika Srpska authorities by the Peace Implementation Council reminding them of their obligation to ensure that the High Representative has full access to documents in a timely fashion have had no impact. This policy by the Republika Srpska authorities

contradicts the frequent claim that the Republika Srpska respects the letter of the Dayton Peace Agreement.

VI. Entrenching the rule of law

59. The Law on Courts of the Republika Srpska still stands in violation of the State-level Law on the High Judicial and Prosecutorial Council in that it regulates issues that fall within the competency of the State, as well as infringing on judicial independence. Since the State-level law stems from a transfer agreement signed under the Bosnia and Herzegovina Constitution by the governments of the State, the Federation of Bosnia and Herzegovina and the Republika Srpska, the Republika Srpska Law on Courts violates those documents. The current law was adopted by the Republika Srpska in 2011, and after negotiations to bring the law into line with State-level legislation, the Republika Srpska government finally introduced amendments in 2013, which, however, were eventually withdrawn from parliamentary procedure.

60. During the reporting period, Republika Srpska authorities have repeatedly violated the State-level Law on the High Judicial and Prosecutorial Council and the Council's prerogatives, by not requesting the Council's opinion on draft regulations that may affect the judiciary, even though it is within the Council's competence under the law to provide such opinions.

61. The persistent failure by authorities at various levels in Bosnia and Herzegovina to implement numerous past decisions of the Bosnia and Herzegovina Constitutional Court remains a serious concern, reflecting the overall lack of progress in entrenching the rule of law in the country.

Anti-corruption efforts

62. During the reporting period, new challenges have arisen in Bosnia and Herzegovina's efforts to tackle corruption. Specifically the implementation of legislation adopted by the Federation in July 2014 to create a special prosecutor's department for corruption has been delayed. While officially in force, the legislation cannot be applied as the technical prerequisites to do so have not been fulfilled because of a lack of budgetary support.

63. In another notable development, testimony given to the State-level Prosecutor's Office by the former Director of the Indirect Taxation Authority, who was arrested earlier on the charges of organized crime, abuse of office and money-laundering together with some 30 customs officials, is now available on the Internet. The testimony details the alleged corrupt activities of many high-ranking political figures and there has been a surprising lack of public reaction to it.

Justice sector reform strategy

64. A new justice sector reform strategy for 2014-2018 has been prepared to replace the previous strategy, which expired at the end of 2013. Following negotiations between different levels of government, including additional negotiations to meet mounting requests from the Republika Srpska, the strategy was adopted by the Brcko District and the Federation, but not by the Republika Srpska. Non-adoption by the Republika Srpska prevents the State-level Council of Ministers

from endorsing it. Non-adoption of the strategy has already had negative consequences, as the continuing financial assistance of the European Union to the project of war crimes processing, including financing for the salaries of some prosecutors, was conditioned on the adoption of the strategy.

War crimes prosecution

65. While the Supervisory Board for the Implementation of the War Crimes Prosecution Strategy continues to meet regularly, it noted that it may become necessary to officially request the Federation authorities to review their representation in the Board, as the representatives of the Federation government continuously miss Board meetings. This calls into question the Federation authorities' dedication to prosecuting war crimes.

VII. Public security and law enforcement

66. The practice of political interference in operational policing remains a serious challenge and has continued through the ongoing practice of delaying appointments of police directors and the formation of the independent boards which select them. The appointment of the Director of the Federation Administration of Police is still pending, owing to an ongoing court dispute over the validity of an already conducted selection process. Similarly, a new police commissioner of Canton 10 has not yet been appointed, even though the mandate of the outgoing police commissioner ended in December 2014. West Herzegovina Canton has also not selected its police commissioner following the appointment of the previous commissioner to the post of the Border Police Director in April 2014. The appointment of the Posavina Canton independent board has been delayed since March 2011, joined by delays in Tuzla, Bosnian-Podrinje and Zenica Cantons, whose board mandates expired in mid-2014. In another development, on 5 March the Director of the State Investigation and Protection Agency was found guilty in the first instance of a criminal charge of negligence in performance of duty related to the non-intervention of the Agency during the February 2014 protests.

67. The Office of the High Representative continues to monitor changes to police legislation and encourage its harmonization in jurisdictions throughout the country. My Office worked intensively with local stakeholders in the Sarajevo, Bosnian-Podrinje and Una-Sana Cantons as well as in the Brcko District to update police legislation. The new legislation established barriers to improper political influence in operational policing by ensuring legal and budgetary independence for police.

VIII. Economy

Economic indicators

68. The economy proved to be more resilient to the impact of the floods of May 2014 than originally expected and the country closed the year with growth of 0.7 per cent. In comparison with 2013, key indicators for 2014 show an increase in exports (3.6 per cent), imports (6.8 per cent) and foreign direct investments in the first nine months (7.9 per cent over the same period in 2013); an annual deflation rate of 0.9 per cent; and stagnation in industrial production. In 2014, Bosnia and

Herzegovina collected €3.128 billion from indirect taxes, which is the highest recorded collection to date, again pointing to the success of the Indirect Taxation Authority, which was established under the guidance of the Office of the High Representative as part of the wider indirect tax system reform implemented in the period 2003-2006. Positive trends in foreign trade and indirect tax revenue collection continued in 2015 and growth projections for the year by international financial institutions are positive.

69. Unemployment levels remained high, with an administrative unemployment rate of about 44 per cent and the share of youth in the total unemployment of about 60 per cent. With an average net salary in December of €431, even those with a steady income struggle to make ends meet. High unemployment levels and low income are among the key reasons for the brain drain, which has already become alarming. In its Global Competitiveness Reports, the World Economic Forum assesses the country's capacity to retain talent to be among the lowest in the world. By brain drain levels, Bosnia and Herzegovina was ranked as 126th of 142 countries in 2011/12, then as 140th of 144 countries in 2012/13, and as 143rd of 148 countries in 2013/14.

70. Retirees are among the most vulnerable segments of the population. The average pension in Bosnia and Herzegovina in December amounted to €180, while minimum pensions stood at just €88 in the Republika Srpska and €167 in the Federation. Of particular concern is a continuing increase in the number of retired persons, which is not matched by a corresponding number of employed persons as key contributors to pension payments. In the Republika Srpska, the number of the retirees has already exceeded the number of employed. In the Federation, the number of the employed is marginally higher than the number of retirees. An additional problem for the sustainability of the entity pension funds is their low rate of collection of employer contributions.

71. Bosnia and Herzegovina's credit and business ratings show a mixed picture. Standard & Poor's Ratings Services affirmed the BB credit rating of Bosnia and Herzegovina and its stable outlook on 13 March, based on the expectation of continued and significant international assistance to the country, which balances identified deficiencies and risks. The Heritage Foundation's 2015 Index of Economic Freedom ranked Bosnia and Herzegovina 97th of 178 countries and 38th of 43 countries in Europe, with the country's score below global and regional averages. The World Bank's report *Doing Business 2015* ranked Bosnia and Herzegovina as 107th of 189 economies in terms of the ease of doing business, which is the worst ranking among European countries. The United Nations Development Programme's *Human Development Report 2014* ranked Bosnia and Herzegovina 86th of 187 countries, while Transparency International's Corruption Perceptions Index for 2014 ranked Bosnia and Herzegovina 80th of 175 countries.

Fiscal issues

72. The financing of the State institutions in 2014 was stable but there have been numerous examples of how the work of those institutions has been negatively affected by the practice of maintaining the same budget level for the past three years. Those institutions most affected include the Bosnia and Herzegovina Ministry of Defence and the Bosnia and Herzegovina Armed Forces. At the time of writing a State budget for 2015 has yet to be adopted. As a result of this, the State institutions

continue to operate on the basis of temporary financing. While this allows the State institutions to continue to function, it also limits their scope of activities and their capacity to support the reform agenda.

73. At the entity level, the absence of IMF and World Bank disbursements caused by the failure to meet the IMF Standby Arrangement commitments posed fiscal risks to both entities in the last quarter of 2014. Those were mitigated by stable indirect tax revenue and domestic borrowing through the issuance of government securities.

74. On a more positive note, both entities have adopted budgets for 2015. The Republika Srpska budget was adopted on 28 December, before the legal deadline, making the Republika Srpska the first level of government in the country to adopt a 2015 budget. It amounts to €1.039 billion, a 5.7 per cent decrease over the rebalanced Republika Srpska budget for 2014. The Federation budget for 2015 was adopted on 31 March, immediately after the appointment of a new Federation government and on the day that the three-month temporary financing period expired. The Federation budget amounts to €1.193 billion, a 6 per cent decrease over the 2014 budget. Both entity budgets show significant reliance on international and domestic borrowing (€189.1 million in the Republika Srpska and €349.7 million in the Federation). This challenging situation points to the need for renewed negotiations with international financial institutions, primarily IMF, on a new financial arrangement, or the identification of alternative sources of financing, which are likely to be either difficult to obtain or far less favourable.

75. The fiscal situation is particularly difficult at the cantonal level in the Federation and continues to be a risk to social stability. This is mainly due to unaddressed spending problems from the past and a lack of willingness to advance structural reforms. It is also a consequence of lower indirect tax revenue inflows that result from increased foreign debt payments by the Federation. All 10 cantons failed to adopt 2015 budgets before the end of 2014 and were forced into temporary financing to ensure continued budget payments. All cantons have now adopted budgets for 2015. The fiscal problems in the cantons have given rise to initiatives that seek to change the system of indirect tax revenue allocation within the Federation. There are also initiatives to change the system of foreign debt payments. These initiatives have the potential of provoking political and social tensions and worsening inter-cantonal relations within the Federation. All these developments require attention as the cantons are of key importance for the fiscal and social stability of the Federation and the State. The 10 cantons together maintain about 50,000 public sector employees.

International obligations

76. On 15 January, international road carriers from the Republika Srpska blocked several Bosnia and Herzegovina border crossings in response to the commencement of the implementation of the Rulebook on the Criteria for the Issuance of Licences and Driver Qualification Cards adopted by the Bosnia and Herzegovina Minister of Transport and Communications in October 2014. The Rulebook, which attempted to implement the Bosnia and Herzegovina Law on International and Inter-Entity Road Transport already in force for 13 years, set a deadline of 31 December 2014 for the validity of the entity and Brcko District licences for international road transport activities and entrusted their future issuance as from 1 January 2015 exclusively to the Bosnia and Herzegovina Ministry of Transport and Communications. Following

the intervention of the Republika Srpska Prime Minister, the Bosnia and Herzegovina Council of Ministers extended the validity of the licences issued by the entity and Brcko District authorities until 15 April 2015. The deadline was subsequently extended for another six months, until 15 October 2015. Persistent resistance to efforts by the State institutions to commence licensing for international road transport activities in accordance with prevailing legislation constitutes a challenge to the practical enforcement of the State's competence on this matter.

77. Further to the meeting on 23 September of the Energy Community Ministerial Council, which declared Bosnia and Herzegovina in persistent breach of its Energy Community Treaty obligations in the gas sector and recalled the possibility of sanctions should progress not be made by its next meeting in 2015, the Energy Community Secretariat prepared a draft law regulating the gas sector in Bosnia and Herzegovina that should help the authorities to rectify the situation. At the time of writing, there has been no discussion on the draft or on an alternative proposal to bring Bosnia and Herzegovina into line with its obligations. The next meeting of the Energy Community Ministerial Council is scheduled for 16 October. Previously, representatives of the Republika Srpska in the State institutions persistently opposed the regulation of certain aspects of the gas sector at the State level and the establishment of a State regulator, seeing this as an expansion of State competences.

78. Developments in the electricity sector are more encouraging. Bosnia and Herzegovina complied with the obligations under the Energy Community Treaty and fully opened its electricity market on 1 January. All customers, including households, now formally have the right to choose their supplier, while suppliers have the right to supply any customer. Also of note is the adoption on 20 November of the State Electricity Transmission Company Long-Term Transmission Grid Development Plan for the Period 2014-2023 by the State Electricity Regulatory Commission. The plan foresees a €401 million investment in the electricity transmission grid over a 10-year period.

79. On 13 November, the Bosnia and Herzegovina Air Navigation Services Agency commenced the provision of services in the airspace between 10,000 and 32,500 feet. Provided consent is given by EUROCONTROL, the airspace between 32,500 and 66,000 feet should come under Bosnia and Herzegovina control by the end of 2015.

80. During the reporting period, Bosnia and Herzegovina's non-compliance with its international obligations relating to money-laundering and the financing of terrorism continued to raise questions of possible negative consequences. In December 2014 MONEYVAL issued a revised public statement under step 3 of its Compliance Enhancing Procedures, urging Bosnia and Herzegovina to address the remaining deficiencies in its anti-money-laundering and counter-terrorist financing legislation by adopting necessary amendments to the Criminal Code of Bosnia and Herzegovina before the 47th plenary meeting of MONEYVAL in April 2015. Early in March 2015, the Bosnia and Herzegovina Parliamentary Assembly adopted an amendment to the Criminal Code in relation to the financing of terrorist activities. However, other amendments to the Criminal Code of significance to the fight against money-laundering and the financing of terrorism remain to be adopted, after they were rejected in the Bosnia and Herzegovina House of Peoples at the end of March 2015 because of the lack of support by Republika Srpska delegates. As a consequence of insufficient progress, MONEYVAL decided on 14 April to invoke

step 4 of the Compliance Enhancing Procedures and refer Bosnia and Herzegovina to the International Cooperation Review Group of the Financial Action Task Force. MONEYVAL has also updated its public statement on Bosnia and Herzegovina, in which it "continues to call on States and territories evaluated by MONEYVAL and other countries to advise their financial institutions to pay special attention by applying enhanced due diligence measures to transactions with persons and financial institutions from or in Bosnia and Herzegovina in order to address the money-laundering and financing of terrorism risks".

IX. Return of refugees and displaced persons

81. Upholding the right of refugees and displaced persons to return to their pre-war homes remains central to the full implementation of the General Framework Agreement for Peace, annex 7 of which requires State- and entity-level authorities "to create in their territories the political, economic, and social conditions conducive to the voluntary return and harmonious reintegration of refugees and displaced persons, without preference for any particular group".

82. While the provision of appropriate accommodation for displaced persons remains essential, an environment that is conducive for sustainable return is equally important and requires the full implementation of the return strategy that was adopted by the authorities in 2012. In this respect, I remain particularly concerned about the difficulties that continue to arise in the education sector in some returnee communities. This issue will need to be addressed by the newly elected authorities.

83. Twenty years after the signing of the Peace Agreement, the issue of war crimes continues to divide local communities and points to the work that still needs to be done to ensure that justice is served and reconciliation advanced so that local communities can reintegrate. An example of this occurred on 8 March when the arrest of eight persons accused of perpetrating mass executions in Kravica (Bratunac) generated conflicting reactions on the ground, with local Bosniaks welcoming the arrests and some local Serbs protesting against the arrests.

84. Returnees from the Federation of Bosnia and Herzegovina to the Republika Srpska municipalities of Bratunac, Zvornik, Visegrad, Srebrenica and Zepa reacted negatively to the Federation government decision of 8 October 2014 in regard to their access to health care treatment in the Federation. Before that decision was adopted, the returnees to the Republika Srpska had full access to hospitals in the Federation. On 9 April the newly elected Federation government tasked the competent ministries to prepare a decision that would effectively overturn the decision of 8 October.

X. Media developments

85. Reforms aimed at ensuring the independence of public broadcasters, as well as their cooperation within a single system, continue to be stalled by political disagreements about the relationship between the public broadcasters and the various levels of government in Bosnia and Herzegovina. Particularly damaging is the several-year failure of the three public broadcasters in Bosnia and Herzegovina to establish an umbrella Public Broadcasting Corporation as required by State-level

legislation. The establishment of the Corporation would make more efficient use of resources and improve coordination. The failure to establish the Corporation on time is now endangering the ability of Bosnia and Herzegovina to meet its international commitments regarding the planned switchover from analogue to digital terrestrial broadcasting in mid-2015.

86. The financial sustainability of the public broadcasting system is also under threat after transitional provisions regulating the method for collecting taxes to finance the public broadcasters elapsed on 26 April. Both the Bosnia and Herzegovina Parliamentary Assembly and the Public Broadcasting System Governing Board have so far failed to define and put in place an alternative, permanent and cost-effective mechanism for collecting the radio-television tax in the future. Thankfully, the three main telecommunications operators have agreed to extend the current collection method for several months, which it is hoped will give the competent authorities sufficient time to find a solution.

87. The continuing failure of the Council of Ministers to appoint a new director to the State-level Communications Regulatory Agency, which regulates and oversees public and private electronic media (television and radio) throughout the country, prompted the Agency's Council to appoint an interim director for two months, in contravention of the law. If the new director is not appointed promptly by the newly formed Council of Ministers, the functioning of this important institution will be called into question.

XI. Defence matters

88. The pace of disposal of ammunition, weapons and explosives stockpiles improved in 2014, but remains relatively slow. Regardless of both the improved control and management of ammunition, weapons and explosive stockpiles by the Bosnia and Herzegovina authorities and international community support for the development of an improved process for inspecting ammunition stockpiles in Bosnia and Herzegovina, the risk of accidental explosion remains, because of ageing ammunition and poor storage conditions. An agreement to establish a mechanism through which surplus stockpiles could be sold remains pending.

XII. European Union military force

89. The European Union military mission in Bosnia and Herzegovina (EUFOR) continues to play an important role in supporting Bosnia and Herzegovina's efforts to maintain a safe and secure environment. This, in turn, assists my Office and other international organizations to fulfil their respective mandates. Its presence on the ground, including through its liaison and observation teams, remains an important contribution to stability and security.

XIII. Future of the Office of the High Representative

90. The political directors of the Peace Implementation Council Steering Board met in Sarajevo in December 2014 to underline their unequivocal commitment to Bosnia and Herzegovina's territorial integrity and sovereignty. The Steering Board

also reinforced the need to complete the five objectives and two conditions agenda, which remains necessary for the closure of the Office of the High Representative. The next meeting of the Steering Board is scheduled for June 2015.

91. Since the beginning of my mandate in March 2009, the budget of the Office has been reduced by over 41 per cent and my staff by over 51 per cent. Given these deep cuts, it remains essential that I am equipped with the budget and staff required to carry out my mandate effectively as I am entitled to under annex 10 of the Peace Agreement.

XIV. Reporting schedule

92. In keeping with the proposals of my predecessor to submit regular reports for onward transmission to the Security Council, as required by Council resolution 1031 (1995), I herewith present my thirteenth regular report. Should the Secretary-General or any Security Council member require information at any other time, I would be pleased to provide an additional written update. The next regular report to the Secretary-General is scheduled for October 2015.

United Nations S/2015/301

Security Council

Distr.: General
28 April 2015

Original: English

Report of the Secretary-General concerning the credentials of the alternate representatives of the Bolivarian Republic of Venezuela on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 28 April 2015 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations stating that Mr. Isaias Medina, Mr. Alessandro Pinto and Ms. Lorena Maitchoukow have been appointed alternate representatives of the Bolivarian Republic of Venezuela on the Security Council.

In the opinion of the Secretary-General, that letter constitutes adequate provisional credentials.

15-06761 (E) 300415

Please recycle

United Nations S/2015/302

Security Council

Distr.: General
29 April 2015

Original: English

Report of the Secretary-General on the situation in Abyei

I. Introduction

1. The present report is submitted pursuant to paragraph 27 of Security Council resolution 2205 (2015), in which the Council requested that I continue to inform it of progress in the implementation of the mandate of the United Nations Interim Security Force for Abyei (UNISFA) and to bring to its immediate attention any serious violation of the Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on temporary arrangements for the administration and security of the Abyei Area, of 20 June 2011 (S/2011/384, annex). It provides an update on the situation in Abyei and on the deployment and operations of UNISFA since the issuance of my previous report, of 30 January 2015 (S/2015/77), as well as on progress made in the implementation of the additional tasks mandated to UNISFA under Security Council resolution 2024 (2011) related to the Joint Border Verification and Monitoring Mechanism.

II. Security situation

2. The security situation in the Abyei Area remained relatively calm during the reporting period, despite a few significant incidents, the tensions arising from the unauthorized presence of security elements from both the Sudan and South Sudan, and the recurrent influx of small and medium-sized arms.

3. The Government of the Sudan continued to maintain from 120 to 150 oil police personnel inside the Diffra oil complex in northern Abyei, in violation of the Agreement of 20 June 2011 and multiple Security Council resolutions. UNISFA also reported incursions and the presence of small numbers of armed personnel of the Sudan People's Liberation Army (SPLA) in southern Abyei, in contravention of the same Agreement and Council resolutions. On 19 February, UNISFA troops apprehended two SPLA personnel carrying AK-47 rifles in the Noong area of Abyei. On 20 February, two additional SPLA elements armed with AK-47 rifles were apprehended in the same area. On 29 March, UNISFA troops arrested three armed SPLA soldiers near Arik, who were in possession of three AK-47 rifles, one machine gun, one rocket propelled grenade and live rounds of ammunition. All those apprehended were disarmed and later released to the national monitors of South Sudan.

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4. Several armed attacks, which resulted in loss of life, abductions and the theft of livestock, undermined the security of the civilian population and increased intercommunal tensions during the reporting period. On 2 March, Marial Achak, located 35 km east of Abyei town, was attacked by approximately 100 armed individuals from the Misseriya community. The attack resulted in the loss of three lives, the abduction of four children (two boys and two girls) and the destruction of 24 houses. UNISFA responded swiftly to the incident and was able to intercept the armed men fleeing north from Marial Achak. After a brief standoff and an exchange of fire, UNISFA troops apprehended eight of the armed individuals, who were in possession of five AK-47 rifles, more than 400 live rounds of ammunition, three motorcycles and a Motorola radio set. Among the eight detainees were one logistics officer from a local militia group, Tora Bora, and one individual who identified himself as a Sudanese Armed Forces intelligence officer. The Government of the Sudan denied that a Sudanese Armed Forces officer had participated in the attack and blamed a Sudanese Revolutionary Front militia member. It also alleged that the Misseriya militia was retaliating after a Ngok Dinka attack that had been carried out on Al-Shagag village on 26 February by elements based in Marial Achak and supported by SPLA. UNISFA could not confirm the Al-Shagag attack.

5. In another incident, on 6 April, Mikol village, north-east of Abyei, was attacked by 10 armed Misseriya militia members, during which six Dinka were killed and one was injured. UNISFA immediately launched a patrol. It located the bodies of two Misseriya assailants who had presumably been killed during the incident, but it could not intercept the attackers.

6. Following the Marial Achak incident, UNISFA engaged in negotiations with Ngok Dinka and Misseriya tribal leaders and engaged in liaison with relevant interlocutors, including the International Committee of the Red Cross and the United Nations Children's Fund (UNICEF), to secure the release of the abducted children. Concordis International assisted in tracking the abducted children with the Misseriya community in Al-Muglad, Southern Kordofan. On 9 April, UNISFA was able to secure their release. The mission then transported the children from Diffra to Abyei, where they were reunited with their families. UNISFA concurrently released the individuals it had captured. Six of the eight detainees were handed over to Misseriya tribal leaders, while the remaining two, the alleged Sudanese Armed Forces officer and the logistics officer, were handed over to the Sudanese authorities.

7. Similarly, among the individuals captured and detained following the Mantenten attack of 26 January, in which five Ngok Dinka were killed and one child was abducted, three of the assailants, who are minors, were released to Misseriya community leaders on 2 February, and the remainder were handed over to senior Misseriya community leaders in Diffra on 6 February, after receiving assurances that the return of the abducted child to his family would be facilitated and that the assailants would be held accountable and would be available to the mission for further enquiries, as required, in connection with its investigations. In the absence of a joint administration and police service, UNISFA is engaging members of the Abyei Joint Oversight Committee to explore how due legal process can be guaranteed in the future, to address the accountability of individuals captured in similar circumstances.

8. Concurrently, UNISFA continued to implement its multifaceted conflict prevention and mitigation strategy aimed at preventing intercommunal clashes during the migration season. It entails maintaining a disengagement area between the two communities, proactive patrolling in the disengagement area, early warning assessments, the deployment of troops in potential flashpoint areas, robust day and night deterrence patrols, aerial monitoring and frequent engagement with local communities and authorities in the Sudan and South Sudan. Three company operating bases remain deployed, in Noong, Alal and Doungap in the central sector; Marial Achak in the southern sector; and Um Khariet in the northern sector. During the reporting period, UNISFA facilitated a total of 34 joint security committee meetings in the various sectors to discuss and update members of both communities on security-related matters.

9. The absence of rule of law institutions continued to undermine the safety and security of community members, as well as respect for their human rights, particularly the rights of those held in informal community detention centres. During the reporting period, UNISFA police trained 107 unarmed community protection committee members in Agok, southern Abyei, to strengthen the knowledge and skills of its members with regard to crime prevention and detection. The deployment of UNISFA police at the Diffra team site was completed in April 2015, and efforts are under way to swiftly establish unarmed community protection committees in northern Abyei. Misseriya community leaders have been approached to identify and recommend 50 individuals for community protection committee training in Diffra. Also during the reporting period, the UNISFA police gender office trained 50 women on issues related to sexual and gender-based violence, including domestic violence.

10. The United Nations Mine Action Service continued to clear, survey and dispose of explosive hazards throughout the Abyei Area, facilitating freedom of movement for United Nations personnel, humanitarian actors and local communities. From 2 January to 31 March, Service teams cleared 84 km of routes within the Abyei Area and verified the safety of an additional 125 km. Teams continued to collect information on the presence of explosive hazards by conducting surveys in the towns of Abyei and Diffra as well as 56 other community settlements. Those activities resulted in the identification of a stockpile of abandoned explosive ordnance, which was subsequently destroyed. Service teams also delivered mine risk education to 23,000 community members within the Abyei Area, raising their awareness about the dangers posed by explosive remnants of war.

11. As the rainy season approaches, the southward migration of Misseriya nomads through the Abyei Area is estimated at 35,000, concentrated mainly in the northern areas of Diffra, Mekines, Farouk, Dumboloya and Goli. The total number of the Ngok Dinka population in the Abyei Area has reached approximately 82,000, suggesting an increase by 1,000 in the number of internally displaced persons returning during the reporting period.

III. Political developments

12. The new Head of Mission, Haile Tilahun Gebremariam, assumed his duties on 16 February 2015 and immediately established contacts with senior officials and key stakeholders from the Governments of the Sudan and South Sudan, pressing the

parties for a rapid resumption of the meetings of the Abyei Joint Oversight Committee.

13. On 5 March, the Head of Mission invited senior officials from the Governments of the Sudan and South Sudan, the Government of Ethiopia and the African Union Commission to attend a high-level security meeting that was to be held in Addis Ababa on 11 and 12 March. The main objectives of the meeting were to discuss security trends in the Abyei Area and to agree on concrete steps forward to diffuse tensions, before major incidents escalated into open fighting. The meeting, however, did not take place on the proposed dates, owing primarily to the short notice to prepare for the meeting. Nevertheless, both parties responded positively to the invitation.

14. On 24 March, the Peace and Security Council of the African Union held consultations on the situation in Abyei. Council members expressed their concern over the volatility of the security situation in the Abyei Area and the occurrence of serious security incidents in previous months, including killings, abductions and cattle-raiding. In its communiqué, the Peace and Security Council also expressed deep concern over the lack of implementation of key provisions of the Agreement of 20 June 2011 and, inter alia, called upon the Governments of the Sudan and South Sudan to urgently take the steps necessary for the establishment of the Abyei Area Administration. It also expressed support for the efforts of the African Union-designated Facilitator of the Abyei Joint Oversight Committee towards the convening of a meeting of the Committee in Addis Ababa on 29 and 30 March, and called for the immediate commencement of intercommunal dialogue, as directed by the Heads of State of the Sudan and South Sudan at their summit held in November 2014.

15. The Peace and Security Council received a briefing from the African Union Commission on the investigation into the assassination of the Ngok Dinka Paramount Chief and UNISFA personnel on 4 May 2013. The Council recommended that the Commission engage with the parties on the findings and recommendations resulting from the investigation in order to bring closure to that incident.

16. Following the meeting of the Peace and Security Council on 24 March, the ninth meeting of the Abyei Joint Oversight Committee was held in Addis Ababa on 29 and 30 March, after a lapse of almost two years. The meeting was chaired by the Co-Chair for South Sudan, Deng Mading Mijak, after his counterpart, Hassan Ali Nimir al-Julla, had requested that he take his turn as a gesture of goodwill. The African Union facilitated the meeting, which was also attended by the UNISFA Head of Mission and the Force Commander. The meeting further benefited from the presence, on the last day, of President Thabo Mbeki, Chair of the African Union High-level Implementation Panel.

17. The meeting was held in a friendly, constructive and cordial atmosphere. In his introductory remarks, the African Union Facilitator remarked that the entire leadership of the Abyei Joint Oversight Committee was new and that he hoped this would give a fresh impetus to the activities of the Committee. He called for stronger working relations between the parties and expressed the hope that the concerted efforts of the Committee would lead to the stabilization of the Abyei Area. In its intervention, UNISFA called for the Committee to take full responsibility for the political and administrative supervision of the management of the Abyei Area, and

to create an environment conducive to the resumption of intercommunal dialogue as well as the restoration of traditional dispute resolution mechanisms.

18. After extensive discussions, the parties agreed to convene a traditional leaders' meeting during the last week of April in Addis Abba, under the facilitation of the Abyei Joint Oversight Committee and the African Union and with the support of the United Nations. They also decided to sustain support for humanitarian and recovery/development programmes in the Abyei Area, ensuring full access to aid workers, in conformity with the prevailing rules and regulations of each Government. They condemned all attacks and reaffirmed their support for making the Abyei Area a weapons-free zone. They also agreed to hold the next meeting of the Committee after the holding of the traditional leaders' dialogue.

19. Following the agreement by the Abyei Joint Oversight Committee to hold a traditional leaders' dialogue at the end of April, the meeting was postponed to the second week of May owing to the participation of the Co-Chair for the Sudan in the general elections in his country, where he stood as a member of parliament in Western Kordofan. Nevertheless, UNISFA arranged the first of a series of meetings between Misseriya and Ngok Dinka tribes in Makir and Youra villages on 15 and 16 April in an effort to restore channels of communication between the two tribes at the grass-roots level.

20. Presidential, parliamentary and State legislature elections were held in the Sudan from 13 to 16 April 2015. In the Abyei Area, elections were held in the northern part of the territory, in the Misseriya-dominated areas, and no election campaigns were carried out in areas south of Diffra. The Government of the Sudan did not seek any administrative or security assistance from UNISFA for the conduct of the elections. Four polling stations opened for the vote, in Makines, al-Askar, Um Kheriet and al-Haza. The National Congress Party presented Magid Yak and Awin Zakaria Ateem as legislative candidates on behalf of the Ngok Dinka of Abyei. Both had earlier represented the area in the Southern Kordofan State legislature. No security incidents occurred as a result of the elections.

IV. Status of the Joint Border Verification and Monitoring Mechanism

21. During the reporting period, the Joint Border Verification and Monitoring Mechanism conducted only one aerial monitoring mission, on 25 March. Other Mechanism aerial patrols, scheduled during the reporting period, did not take place owing to the unavailability of aircraft in February, the denial of security clearances at the tactical level by the Government of South Sudan, the late approval of the March monthly verification and monitoring plan by South Sudan and the tense security situation along the Safe Demilitarized Border Zone. The aerial verification and monitoring plan for the month of April 2015 was cleared and signed by the two sides, but, as at 16 April, none of the Mechanism aerial patrols had taken place. This was due mainly to the denial of flight security clearances at the tactical level by the South Sudan brigade commander responsible for the location in question and, in one instance, the refusal of the South Sudanese patrol members to undertake the mission owing to the tense security situation in the patrol area.

22. The headquarters of the Joint Border Verification and Monitoring Mechanism, as well as the sector headquarters in Kadugli and Gok Machar, are now fully operational and ready to accommodate two additional force protection companies, scheduled to be deployed from 1 to 16 May 2015. The deployment of this force protection support will be instrumental in assisting the Mechanism in undertaking the envisioned ground patrols. The establishment of two additional sector sites in Malakal and Buram with two additional force protection units has been suspended, pending the detailed assessment of the Mechanism that I proposed in my previous report (see S/2015/77, para. 42), which is now scheduled in May.

23. Ongoing disagreement between the parties on the centreline and grid coordinates of the Safe Demilitarized Border Zone, particularly along the 14-mile area, creates significant challenges for the conduct of Joint Border Verification and Monitoring Mechanism operations, and has yet to be resolved by the parties in the context of the Joint Political Security Mechanism. No meeting of the Joint Political Security Mechanism has been held since November 2014.

24. On 13 February, an Ethiopian air force aircraft supporting a troop rotation exercise was shot at when landing at the Kadugli airport. The aircraft was carrying 96 troops and four crew members. Although no casualties were sustained during the attack, the incident raises serious concerns over the security of UNISFA and Joint Border Verification and Monitoring Mechanism personnel and their ability to operate safely in and out of Kadugli. The mission held consultations with the Government of the Sudan, as well as with United Nations agencies, to conduct a threat assessment regarding the use of Kadugli airport and to ensure safe UNISFA air operations.

V. Humanitarian situation

25. United Nations agencies, funds and programmes and non-governmental organizations continued to provide humanitarian and recovery assistance to some 82,000 internally displaced persons and returnees in southern areas of Abyei, in the areas of food security, health and nutrition, education, shelter, water sanitation and hygiene. Approximately 15,000 people in northern areas of Abyei were assisted in the areas of health and nutrition, education, water sanitation and hygiene, building on the findings of the inter-agency humanitarian and recovery needs assessment carried out in late December 2014. Those findings were endorsed by the Co-Chair for the Sudan of the Abyei Joint Oversight Committee in early April, allowing for the roll-out of an agreed humanitarian action plan for northern areas of Abyei.

26. An additional 6,800 internally displaced persons from Unity State, South Sudan, were supported across all sectors, while some 823 people newly displaced in Rumameer, following the attack on Marial Achak in March, were provided with food rations and other assistance. With effect from March, food rations for all beneficiaries other than internally displaced persons from Unity State were cut by 50 per cent, owing to funding shortfalls. In addition to food aid, key activities in the areas of food security and employment included vocational training for women and youths and the provision of seeds and tools as well as agricultural training for farmers.

27. In terms of health and nutrition, 17 functional health centres in the Abyei Area, complemented by mobile clinics, provided basic health and nutrition support

services to the two communities. Support for education continued with the provision of basic teaching and learning materials and the rehabilitation of classrooms. A key challenge in the education and health/nutrition sectors was the shortage of government staff. Agreements were signed by UNICEF with a local non-governmental organization, for enhanced provision of education and child protection services, and by the World Food Programme with the same organization, for nutrition activities in the northern areas of Abyei.

28. A total of 229 hand pumps have been provided and 42 water yards built in the Abyei Area to address the safe water needs of the two communities, including internally displaced persons, host communities/returnees and nomads. The rehabilitation of broken water points continued alongside the promotion of safe hygiene and sanitation practices. Some non-food items such as jerry cans were provided to the most vulnerable groups, including the 823 persons internally displaced from Marial Achak to Rumameer and other southern areas.

29. Monitoring activities to ensure the protection of the most vulnerable from violence, exploitation and other human rights abuses continued in return areas and sites for internally displaced persons. Specific protection activities included family tracing and reunification activities for separated children, the identification of foster families for vulnerable children such as orphans, and the training of traditional leaders, youths and women on the prevention of sexual and gender-based violence.

VI. Personnel deployment and mission support

30. As at 7 April 2015, the UNISFA military component stood at 4,066 personnel (120 military observers, 101 staff officers and 3,845 troops), out of an authorized strength of 5,326 (see annex I). The strength of the UNISFA police component stood at 29 police officers from six police contributing countries, out of an authorized strength of 50. In view of the failure by the parties to establish the Abyei Police Service, which UNISFA is mandated to advise and train, the remaining authorized officers were not deployed.

31. During the reporting period, UNISFA completed the construction of facilities for the five dry season deployment sites, in Noong, Doungop, Alal, Marial Achak and Um Khariet, as well as the deployment of troops and military observers to those sites. The construction of the sixth site, in Agany Toak, is now in progress.

32. Although the completion of the airport at Athony and office and living accommodations for United Nations police in Diffra and the rehabilitation of major roads and other facilities for the troops are under way, the ongoing restrictions placed by the Government of the Sudan on the delivery of red laterite soil, aggregates and other construction materials from the Sudan remain an impediment to the timely completion of critical construction projects before the onset of the rainy season.

33. Thirty-three containers with prefabricated accommodation sets and other equipment have been delivered to Gok Machar, and the construction of hard-wall accommodation in Gok Machar is in progress. The rehabilitation of existing accommodation in Kadugli is also under way. The building of a turnkey fuel and associated fuel services distribution point in Gok Machar camp and the drilling of two more new boreholes in Kadugli are in progress.

34. The mission has conducted 96 airlifts between Kadugli and Abyei and completed the rotation of 1,057 troops. Fifty-four new light vehicles and three forklifts have also arrived at the mission.

VII. Financial aspects

35. The General Assembly, by its resolution 68/258 B, appropriated the amount of $318.9 million for the maintenance of the Force for the period from 1 July 2014 to 30 June 2015.

36. As at 16 April 2015, unpaid assessed contributions to the Special Account for UNISFA amounted to $74.2 million. Total outstanding assessed contributions for all peacekeeping operations at that date amounted to $2,167.6 million.

37. Reimbursement to the contributing government for troop and contingent-owned equipment costs has been made for the period up to 28 February 2015 and 31 December 2014, respectively, in accordance with the quarterly payment schedule.

VIII. Observations and recommendations

38. I commend the Governments of the Sudan and South Sudan for the resumption of the activities of the Abyei Joint Oversight Committee, the constructive atmosphere in which its deliberations took place, and their decision to quickly hold a traditional leaders' dialogue meeting. I call upon the two Co-Chairs of the Committee to work collaboratively with the African Union Commission and the traditional leaders to help ensure the success of that important meeting.

39. This reopening of the channels of communication and resumption of cooperation with regard to the management of Abyei by the parties should help to create the conducive environment necessary for the two communities to find closure on the tragic assassination of the Ngok Dinka Paramount Chief and restore the grass-roots mechanisms of cooperation necessary to sustain their respective livelihoods.

40. I call upon both parties to translate this renewed spirit of cooperation into concrete steps towards the resolution of issues that have remained unaddressed for far too long, including the resumption of the implementation of the Agreement of 20 June 2011, the establishment of the joint Abyei Police Service and the withdrawal of the Diffra oil police. I urge the two parties to build on the existing momentum and agree to the holding of a second meeting of the Abyei Joint Oversight Committee as soon as possible following the holding of the traditional leaders' dialogue, to address the implementation of their past decisions, including the concrete steps required to ensure that Abyei is maintained as a weapons-free zone.

41. I remain very concerned about the recent attacks carried out in Mantenten, Marial Achak and Mikol by Misseriya militias and the repeated entry of armed SPLA elements inside the Abyei Area. Both Governments need to guarantee that armed elements operating on their respective territories remain outside the Abyei Area and that their respective armed forces also refrain from entering Abyei.

42. The abduction of children during security incidents is particularly deplorable and unacceptable. I thank the Government of the Sudan for its assistance in the

release of the four children taken in Marial Achak and urge it, as well as Misseriya community leaders, to redouble their efforts to locate and return the child abducted in Mantenten.

43. The lack of progress in establishing the Safe Demilitarized Border Zone and identifying its centreline, as well as the implementation of border security arrangements and border crossing corridors, despite the parties' recommitment to the cooperation agreements of 27 September 2012, has led to a worrisome inertia with regard to border security matters. I call upon the parties to overcome their dispute on the Safe Demilitarized Border Zone zero line and convene a meeting of the Joint Political Security Mechanism to address that issue. I will present the findings of the Joint Border Verification and Monitoring Mechanism assessment in my June report to the Council as it considers the renewal of the UNISFA mandate in July 2015.

44. In conclusion, I wish to extend my sincere gratitude and appreciation to Haile Tilahun Gebremariam, the new Head of Mission, and to Major General Birhanu Jula Gelalcha, the Force Commander, for their efforts to enhance peace and stability in the Abyei Area, often under very difficult conditions. I also commend my Special Envoy, Haile Menkerios, as well as President Thabo Mbeki, the African Union Commission, the Peace and Security Council of the African Union and the Government of Ethiopia, and thank them for their active engagement in support of the stabilization of Abyei.

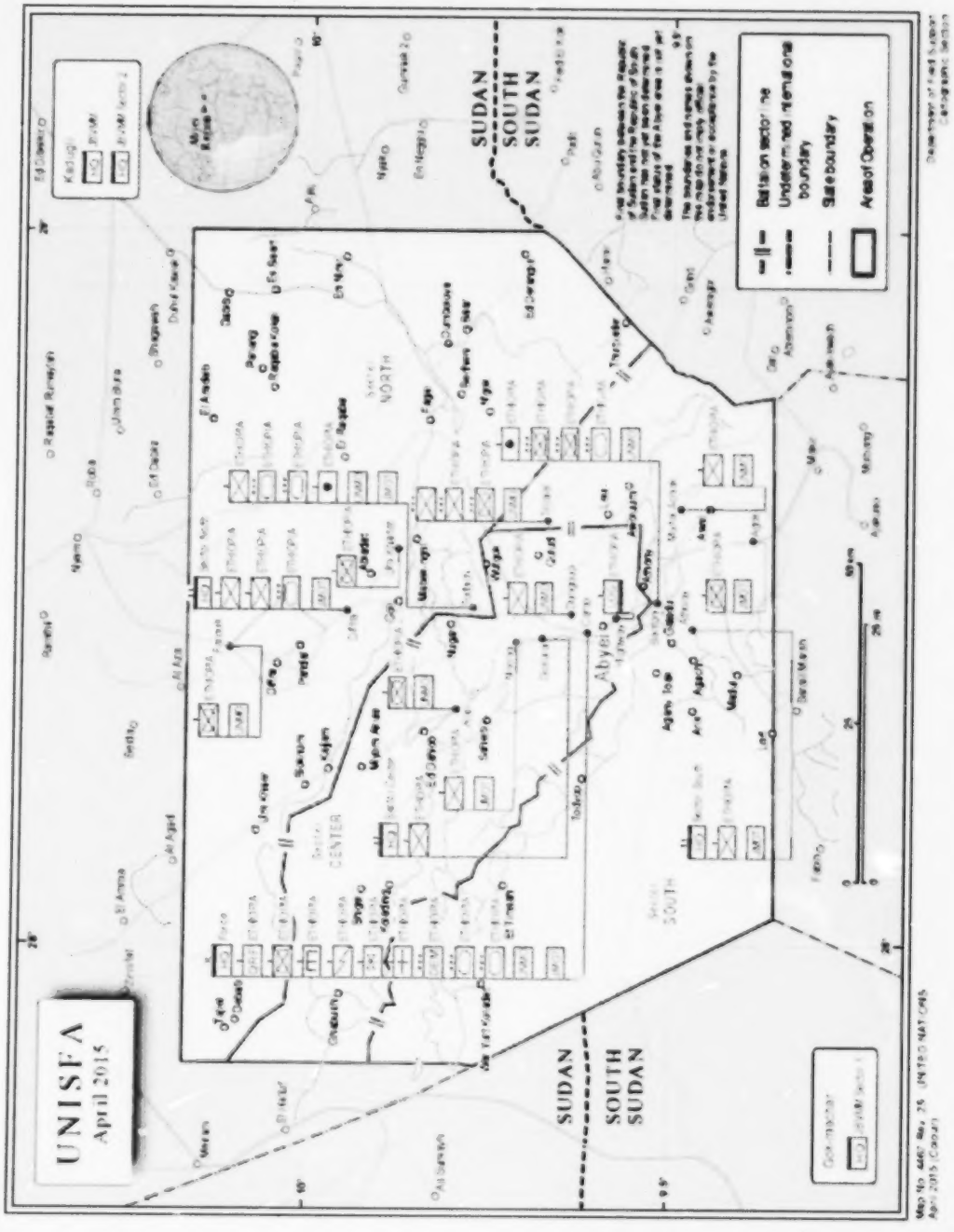
Annex I

Composition of the military component of the United Nations Interim Security Force for Abyei, including the Joint Border Verification and Monitoring Mechanism

Country	*Description*	*Personnel*	*Total*
Benin	Experts on mission	2	3
	Contingent troop	1	
Brazil	Experts on mission	2	3
	Contingent troop	1	
Burkina Faso	Experts on mission	1	1
Burundi	Experts on mission	1	1
Cambodia	Experts on mission	1	1
Ecuador	Experts on mission	2	3
	Contingent troop	1	
Ethiopia	Experts on mission	77	3 997
	Contingent troop	3 920	
Ghana	Experts on mission	2	4
	Contingent troop	2	
Guatemala	Experts on mission	2	3
	Contingent troop	1	
Guinea	Experts on mission	1	1
Indonesia	Experts on mission	2	3
	Contingent troop	1	
India	Experts on mission	2	4
	Contingent troop	2	
Kyrgyzstan	Experts on mission	1	1
Malawi	Contingent troop	1	1
Mali	Contingent troop	1	1
Mongolia	Experts on mission	2	2
Namibia	Experts on mission	2	3
	Contingent troop	1	
Nepal	Experts on mission	1	3
	Contingent troop	2	
Nigeria	Contingent troop	2	2
Peru	Contingent troop	1	1
Russian Federation	Experts on mission	1	1
Rwanda	Experts on mission	2	4
	Contingent troop	2	
Sri Lanka	Experts on mission	5	6
	Contingent troop	1	

Country	*Description*	*Personnel*	*Total*
Ukraine	Experts on mission	4	6
	Contingent troop	2	
United Republic of Tanzania	Experts on mission	3	3
Yemen	Experts on mission	4	6
	Contingent troop	2	
Zambia	Experts on mission	1	2
	Contingent troop	1	
Total		**4 066**	**4 066**

Annex II


UNISFA
April 2015
SUDAN
SOUTH SUDAN
Abyei
Battalion sector line
Undetermined international boundary
State boundary
Area of Operation